

7639. Also, petition of E. W. Johnson, 180 North Michigan Avenue, Chicago, Ill., urging the defeat of House bill 11096, a bill relative to increased postal rates; to the Committee on the Post Office and Post Roads.

7640. Also, petition of T. S. Hammond, president Whiting Corporation, Harvey, Ill., protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7641. Also, petition of Percy Brine, 330 Wells Street, Chicago, Ill., urging the defeat of House bill 11096; to the Committee on the Post Office and Post Roads.

SENATE

TUESDAY, June 24, 1930

Rev. James W. Morris, D. D., assistant rector of the Church of the Epiphany, city of Washington, offered the following prayer, it being the collect for the day (St. John Baptist):

Almighty God, by whose providence Thy servant John Baptist was wonderfully born and sent to prepare the way of Thy Son our Savior by preaching repentance, make us so to follow his doctrine and holy life that we may truly repent according to his preaching, and after his example constantly speak the truth, boldly rebuke vice, and patiently suffer for truth's sake. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Wednesday last, when, on request of Mr. McNARY and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Gillett	McNary	Steck
Ashurst	Glass	Metcalf	Steiwer
Barkley	Glenn	Moses	Stephens
Bingham	Goldsborough	Oddie	Sullivan
Black	Hale	Overman	Swanson
Blaine	Harris	Patterson	Thomas, Idaho
Borah	Harrison	Phipps	Thomas, Okla.
Brock	Hatfield	Pine	Townsend
Broussard	Hayden	Pittman	Trammell
Capper	Hebert	Ransdell	Tydings
Caraway	Howell	Reed	Vandenberg
Copeland	Johnson	Robinson, Ark.	Wagner
Couzens	Jones	Robinson, Ind.	Walcott
Cutting	Kendrick	Robson, Ky.	Walsh, Mass.
Dale	La Follette	Sheppard	Walsh, Mont.
Deneen	McCulloch	Shipstead	Watson
Dill	McKellar	Shortridge	Wheeler
George	McMaster	Smoot	

Mr. SHEPPARD. The Senator from Florida [Mr. FLETCHER], the senior Senator from South Carolina [Mr. SMITH], the Senator from Utah [Mr. KING], and the Senator from Missouri [Mr. HAWES] are necessarily detained from the Senate by illness.

The junior Senator from South Carolina [Mr. BLEASE] and the senior Senator from New Mexico [Mr. BRATTON] are necessarily detained from the Senate by reason of illness in their families.

The VICE PRESIDENT. Seventy-one Senators have answered to their names. A quorum is present.

MUSCLE SHOALS

Mr. McKELLAR. Mr. President, I ask unanimous consent that the clerk may read from the desk a short editorial from the Arkansas Gazette in reference to the statement of the senior Senator from Arkansas [Mr. ROBINSON] about Muscle Shoals; also a short editorial from the St. Louis Post-Dispatch entitled "A National Disgrace," having reference to the same subject and the speech of the junior Senator from Alabama [Mr. BLACK] thereon.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

[From the Arkansas Gazette, June 18, 1930]

TIME TO DO SOMETHING ABOUT MUSCLE SHOALS

Senator JOSEPH T. ROBINSON has urged President Hoover to intervene in the deadlock between House and Senate conferees on the question of Muscle Shoals legislation. The appeal is a timely one. The development of this great source of hydroelectric power should not be delayed year after year by the inability of Congress to formulate policies for its use. The controversy has dragged on for more than a decade now, and with House and Senate taking into conference two bills diametrically opposed to each other and the House refusing to listen to any proposals for compromise there seems small prospect for action

during the life of this Congress unless more decisive leadership is displayed in the matter by the administration.

The average man can not be expected to understand all the questions involved, complicated as they are not only by technical problems of power generation and river navigation but also by problems of industrial chemistry and by the dispute between those who advocate and those who oppose public ownership and operation of such utilities as the Muscle Shoals plant. But the average man is convinced that some permanent program should be adopted for use of a property in which the Government has made a heavy investment. The public will feel that if Mr. Hoover's leadership is needed to bring about action Mr. Hoover might well exercise that leadership at this time.

[From the St. Louis Post-Dispatch, June 17, 1930]

A NATIONAL DISGRACE

Senator BLACK's powerful speech on Muscle Shoals should awaken the country to the disgraceful delay in putting this great plant to work. It was built during the war at a cost of \$130,000,000, and has lain practically idle ever since, although the South is in desperate need of electric power. Loss in interest on the investment alone from 1918 to 1930 amounts approximately to \$75,000,000.

The Alabama Senator blames Mr. Hoover for the failure of the present Congress to pass Muscle Shoals legislation. He says Mr. Hoover in his Elizabethton speech and in subsequent statements promised Government operation and control of the plant, but has not lifted a finger to put such a plan through Congress. At the present time a deadlock exists between the Senate and the House. The Senate favors Government operation of the power plant and also of the nitrate plant at the shoals. The House is obstinately opposed to this solution and favors leasing both plants to private interests. A compromise, suggested by Senator NORRIS, to lease the nitrate plant to fertilizer companies while permitting the Government to operate and control the power plant has been refused by the House.

Mr. Hoover's leadership would undoubtedly make it possible for House and Senate to agree. "It is a national disgrace and a national crime," says Senator BLACK, "that for 10 years the power and fertilizer interests have been able to prevent this great property from being put to work for the benefit of the public. The President could settle it with one word to the leaders of his party in the House and Senate."

Putting Muscle Shoals to work should appeal especially to the great engineer, whose mind is supposed to abhor waste and inefficiency. But, unfortunately, the great engineer seems to be overshadowed by the politician, frightened by the absurd bugaboo attaching to Government operation.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 134. An act authorizing an appropriation for the purchase of land for the Indian colony near Ely, Nev., and for other purposes;

S. 135. An act to provide for the payment for benefits received by the Paiute Indian Reservation lands within the Newlands irrigation project, Nev., and for other purposes;

S. 485. An act to amend section 9 of the Federal reserve act and section 5240 of the Revised Statutes of the United States, and for other purposes;

S. 486. An act to amend section 5153 of the Revised Statutes as amended;

S. 3627. An act to amend the Federal reserve act so as to enable national banks voluntarily to surrender the right to exercise trust powers and to relieve themselves of the necessity of complying with the laws governing banks exercising such powers, and for other purposes; and

S. 4096. An act to amend section 4 of the Federal reserve act.

The message also announced that the House had passed the bill (S. 941) to amend the act entitled "An act to regulate interstate transportation of black bass, and for other purposes," approved May 20, 1926, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 8529. An act to provide for the establishment of the Yakima Indian Forest;

H. R. 10582. An act to provide for the addition of certain lands to the Lassen Volcanic National Park in the State of California;

H. R. 11515. An act to provide for the sale of the Government building site located on the State line dividing West Point, Ga., and Lanett, Ala., and for the acquisition of new sites and construction of Government buildings thereon in such cities;

H. R. 11622. An act to provide for the appointment of an additional district judge for the eastern and western districts of Louisiana;

H. R. 12095. An act to amend section 113 of the Judicial Code, as amended (sec. 194, title 28, U. S. C.);

H. R. 12285. An act to authorize the Postmaster General to purchase motor-truck parts from the truck manufacturer;

H. R. 12307. An act to provide for the appointment of one additional judge of the District Court of the United States for the Western District of Oklahoma;

H. R. 12350. An act to provide for the appointment of an additional district judge for the eastern district of Michigan;

H. R. 12383. An act to transfer from the United States Shipping Board to the Treasury Department certain property located at Hoboken, N. J., and

H. R. 12599. An act to amend section 16 of the radio act of 1927.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 134. An act authorizing an appropriation for the purchase of land for the Indian colony near Ely, Nev., and for other purposes;

S. 135. An act to provide for the payment for benefits received by the Paiute Indian Reservation lands within the Newlands irrigation project, Nevada, and for other purposes;

S. 363. An act for the relief of Charles W. Martin;

S. 485. An act to amend section 9 of the Federal reserve act and section 5240 of the Revised Statutes of the United States, and for other purposes;

S. 486. An act to amend section 5153 of the Revised Statutes, as amended;

S. 2718. An act for the relief of Stephen W. Douglass, chief pharmacist, United States Navy, retired;

S. 3627. An act to amend the Federal reserve act so as to enable national banks voluntarily to surrender the right to exercise trust powers and to relieve themselves of the necessity of complying with the laws governing banks exercising such powers, and for other purposes;

S. 4096. An act to amend section 4 of the Federal reserve act; and

S. 4466. An act to make a correction in an act of Congress approved February 28, 1929.

PETITIONS

The VICE PRESIDENT laid before the Senate a petition numerous signed by World War veterans of Lehigh County, Pa., praying for the passage of legislation providing for the proper care and hospitalization of World War veterans of the State of Pennsylvania, which was referred to the Committee on Finance.

Mr. JONES presented a petition numerous signed by sundry citizens of the State of Washington, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia or in any of the territorial or insular possessions of the United States, which was referred to the Committee on the District of Columbia.

Mr. SHIPSTEAD presented resolutions adopted by the Zagloba Society, Local No. 1033, of the Polish National Alliance of America, of South St. Paul, Minn., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which were referred to the Committee on the Library.

Mr. VANDENBERG presented resolutions of the Michigan Grand Council of the United Commercial Travelers of America, favoring the passage of legislation to establish a 6-hour workday with five working days per week at the present scale of wages in all manufacturing plants that utilize mass-production machinery, which were referred to the Committee on Education and Labor.

THE TOWNSEND-PURNELL PLANT BREEDING ACT

Mr. WALCOTT. Mr. President, I present an informal summary of a short address by Secretary Jewell Mayes, of the Missouri State Board of Agriculture, broadcast on the 20th instant, which I ask may lie on the table and be printed in the RECORD.

There being no objection, the summary was ordered to lie on the table and to be printed in the RECORD, and it is as follows:

THE PLANT PATENT BILL

(An informal summary of a short address by Secretary Jewell Mayes, of the Missouri State Board of Agriculture, broadcast WOS, 8 p. m., June 20, 1930)

The plant patent bill, known in the United States Congress as the Townsend-Purnell bill, passed by both the House and the Senate without dissenting voice, signed by President Herbert Hoover on May 23, 1930, is an American revolution in agriculture and horticulture.

The purpose of the Townsend-Purnell Act, now a Federal law, is to afford agricultural and horticultural improvers the same opportunity to participate in and enjoy the benefits of the patent system as have always been given to industry.

It would be practically impossible to list by name in this connection each person contributing by influence or vote to this long-deferred recognition to discoverers and developers of new varieties in plant life, but great credit should be recorded in honor of the Senators, Congressmen, and other public officials supporting or voting for one of the most constructive pieces of agricultural legislation of this generation. Evidently, the choicest credit should go to the late Luther Burbank and his surviving widow, Mrs. Elizabeth Waters Burbank, both of whom had endeavored for years to secure public recognition and protection for plant breeders. Two Missourians, as private citizens, joined hands and interests in the common purpose of getting this bill through Congress—and they were so happily successful that they should receive recognition by name for faithful duty well performed—these two Missourians, the "Mutt and Jeff" of the Townsend-Purnell Act, are Mr. Paul C. Stark, of Louisiana, Mo., and Dr. E. B. Clements, of Macon, Mo.

Luther Burbank, the world's most celebrated plant genius, had no way and no law to protect his discoveries, the most notable plant betterments in the history of written speech. Ephraim Bull, of Massachusetts, who worked out and saved for civilization the Concord grape, never profited sufficiently for his pains. Because of the lack of patent protective laws very few of the explorers in plant pathology have ever been able to turn their wondrous works into bread and butter, the benefits quite generally going to those who reaped without sowing.

The plant patent bill had the advance indorsement and enthusiastic support of essentially all of the leading agricultural and horticultural organizations of America, including the National Grange, the American Farm Bureau Federation, the State commissioners and secretaries of agriculture, State experiment station officials, and many other public and private leaders of city and country life.

It will be of interest to everybody to know that Thomas A. Edison (the wizard of electricity) said on February 25, 1930, the following in a telegram to Senator JOHN G. TOWNSEND, Jr.:

"Nothing that Congress can do to help farming would be of greater value and permanence than to give to the plant breeder the same status as the mechanical and chemical inventors now have through the patent law. There are but few plant breeders. This will, I feel sure, give us many Burbanks."

Upon being notified of the unanimous approval by Congress, Mr. Edison wired the following:

"Am highly elated the farmers can now have what the manufacturers have long had—patent protection. It will surprise everyone by its results in the coming year."

The Townsend-Purnell patent bill had the hearty approval of Secretary of Agriculture Arthur M. Hyde, of Missouri; Commissioner of Patents Thomas E. Robertson; Ex-Secretary of Agriculture William M. Jardine, of Kansas; former Governor Harry F. Byrd, of Virginia, brother of Admiral Richard E. Byrd, and the largest individual fruit grower of North America; and a multitude of others in agriculture and horticulture.

Those who may think that plant improvement has already reached its zenith will change their minds when they consider the following words as spoken by Mr. Luther Burbank shortly before his death:

"The surface of plant experimentation has thus far been only scratched. Plant breeding is in its earliest infancy. Its possibilities and even its fundamental principles are understood but by few. This knowledge is (in a most priceless legacy) making clear the way for some of the greatest benefits which man has ever received. All of these things are as immediate in possibilities as transcontinental railroads were 50 years ago."

The plant patent act, in effect and in force since May 23, 1930, but of which the agricultural world has not as yet become fully awakened, is an amending of sections 4884, 4886, 4888, and 4892 of the Federal Revised Statutes, and adds certain entirely new matters thereto.

The plant patent act (as now in force) extends the protection of the Federal patent laws to any person "who has invented or discovered and asexually reproduced any distinct and new variety of plant other than a tuber-propagated plant, not known or used by others in this country, before his invention or discovery thereof, and not patented or described in any printed publication in this or any foreign country, before his invention or discovery thereof, or more than two years prior to his application, and not in public use or on sale in this country for more than two years prior to his application, etc."

In section 5 of the plant patent amendments appears the provision that "notwithstanding the foregoing provisions of this act, no variety of plant which has been introduced to the public prior to the approval of this act, shall be subject to patent."

This new plant patent act is, indeed, a most distinguishing and helpful recognition of the science and business of agriculture at the hands of Congress and the public, offering all the thrills of devoted adventure to youth and age in an endless effort to improve all asexual plant life (owing to certain unofficial objections not as yet including seeded and tuber plants), offering legal recognition through patent protection in

developing and perfecting plant life everywhere under the undefeated American flag.

REPORTS OF COMMITTEES

Mr. WALSH of Montana, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 4657) to amend sections 17 and 27 of the general leasing act of February 25, 1920 (41 Stat. 437), as amended, reported it with amendments and submitted a report (No. 1087) thereon.

Mr. KENDRICK, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 4149) to add certain lands to the Ashley National Forest, in the State of Wyoming, reported it with amendments and submitted a report (No. 1088) thereon.

Mr. WALSH of Massachusetts, from the Committee on Finance, to which was referred the bill (S. 1214) granting compensation to Philip R. Roby, reported it without amendment and submitted a report (No. 1089) thereon.

NOTAXABLE INDIAN LANDS

Mr. STEIWER, from the Committee on Indian Affairs, to which was referred the resolution (S. Res. 282) relative to Federal aid to States wherein are located Indian lands not subject to State taxation, reported it with an amendment.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COUZENS:

A bill (S. 4749) to amend section 16a of the interstate commerce act; to the Committee on Interstate Commerce.

By Mr. REED:

A bill (S. 4750) to authorize alterations and repairs to certain naval vessels; to the Committee on Naval Affairs.

By Mr. GLENN:

A bill (S. 4751) for the relief of Lester Swanberg; to the Committee on Claims.

By Mr. TOWNSEND:

A bill (S. 4752) granting an increase of pension to Clara V. Brown (with accompanying papers); to the Committee on Pensions.

By Mr. GEORGE and Mr. HARRIS:

A joint resolution (S. J. Res. 198) to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930, as amended; to the Committee on Agriculture and Forestry.

By Mr. SHORTRIDGE:

A joint resolution (S. J. Res. 199) authorizing the President of the United States to accept on behalf of the United States a conveyance of certain lands on Government Island from the city of Alameda, Calif., in consideration of the relinquishment by the United States of all its rights and interest under a lease of such island, dated July 5, 1918; to the Committee on Commerce.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 8529. An act to provide for the establishment of the Yakima Indian Forest; to the Committee on Indian Affairs.

H. R. 10582. An act to provide for the addition of certain lands to the Lassen Volcanic National Park in the State of California; to the Committee on Public Lands and Surveys.

H. R. 11515. An act to provide for the sale of the Government-building site located on the State line dividing West Point, Ga., and Lanett, Ala., and for the acquisition of new sites and construction of Government buildings thereon in such cities; to the Committee on Public Buildings and Grounds.

H. R. 11622. An act to provide for the appointment of an additional district judge for the eastern and western districts of Louisiana;

H. R. 12095. An act to amend section 113 of the Judicial Code, as amended (sec. 194, title 28, U. S. C.);

H. R. 12307. An act to provide for the appointment of one additional judge of the District Court of the United States for the Western District of Oklahoma; and

H. R. 12350. An act to provide for the appointment of an additional district judge for the eastern district of Michigan; to the Committee on the Judiciary.

H. R. 12383. An act to transfer from the United States Shipping Board to the Treasury Department certain property located at Hoboken, N. J.; to the Committee on Commerce.

H. R. 12285. An act to authorize the Postmaster General to purchase motor-truck parts from the truck manufacturer; to the Committee on Post Offices and Post Roads.

H. R. 12599. An act to amend section 16 of the radio act of 1927; to the Committee on Interstate Commerce.

PAN AMERICAN RECIPROCAL TRADE CONFERENCE

Mr. SHORTRIDGE. Mr. President, I submit a resolution and ask for its immediate consideration.

The resolution (S. Res. 301) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Whereas there will be held in Sacramento, Calif., from August 25 to August 30, 1930, a Pan American Reciprocal Trade Conference to be participated in by many western and other States of the Union; and

Whereas the several nations on the American Continent have been cordially invited, and have chosen delegates, official and nonofficial, to attend and take part in said conference; and

Whereas one of the major objectives to be sought through said conference is the encouragement of friendly trade relations and the expansion of reciprocal commerce among the nations of North, Central, and South America: Now, therefore, be it

Resolved, That the Senate of the United States of America approves the holding of said conference, extends cordial greeting to the delegates from said nations, and expresses the hope and belief that their deliberation and action will be beneficial to all concerned and participating.

The preamble was agreed to.

AMENDMENT TO SECOND DEFICIENCY APPROPRIATION BILL

Mr. HARRISON. I desire to give notice in writing of my intention to offer an amendment to the second deficiency appropriation bill.

The VICE PRESIDENT. The notice will be read.

The CHIEF CLERK. The Senator from Mississippi submits the following notice:

Pursuant to the provisions of rule 40, I hereby give notice of my intention to move to suspend paragraph 3 of Rule XVI for the purpose of proposing to House bill 12902, the second deficiency appropriation bill, the following amendment, namely:

On page 30, after line 16, insert the following:

"Market news service: For an additional amount to enable the Secretary of Agriculture to collect, publish, and distribute by telegraph, mail, or otherwise timely information on the current market prices of cottonseed and cottonseed products independently and in cooperation with State agencies, purchasing and consuming organizations and persons engaged in the production, transportation, marketing, and distribution of cottonseed and cottonseed products, \$25,000."

VICTORY OF HARVARD UNIVERSITY'S SCRUBWOMEN

Mr. COUZENS. Mr. President, some time ago I had inserted in the CONGRESSIONAL RECORD an article criticizing Harvard University for its treatment of its scrubwomen. I desire to have read at the desk a very brief editorial from the Washington Post in connection with that matter, so as to do justice to Harvard University.

The VICE PRESIDENT. Is there objection to the reading of the article? The Chair hears none, and the Secretary will read, as requested.

The Chief Clerk read as follows:

[From the Washington Post of June 21, 1930]

CHARWOMEN WIN

Harvard University's scrubwomen have won their war. That institution, which prides itself in teaching civic virtue to its undergraduates, was charged with violating the Massachusetts minimum wage law in the employment of its charwomen. There are 20 of these hard-working women who had been underpaid for nine years, and when they were discharged last December, following a protest alike from the workers, the alumni, and the student body, the war started. Headed by Corliss Lamont, a Harvard alumnus, a group of the alumni undertook to secure from other grads a sum sufficient to pay the charwomen the difference between the wages they had received and the minimum prescribed by the Massachusetts Wage Commission.

But the governing board of the university has apparently seen a light and has surrendered, agreeing to pay "back wages" to the extent of \$280 to each of the 20, or at the rate of 2 cents per hour for each hour she was employed during the nine years in which the board had evaded the law.

Whether or not the women who were discharged last December have been or will be reinstated is not disclosed.

SALARIES OF MEMBERS OF POLICE AND FIRE DEPARTMENTS OF THE DISTRICT

Mr. CAPPER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2370) entitled "An act to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia," having met, after full and free con-

ference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same with amendments as follows:

Page 4, line 8, of the engrossed House amendment, after the word "any," insert the word "of."

Page 4, lines 12 and 13, of the engrossed House amendment, change the word "deduction" to read "deductions."

Page 4, line 16, of the engrossed House amendment, after the numeral "6," strike out the language down to and including the word "and" on line 19.

Page 4, line 21, of the engrossed House amendment, after the word "allowance," insert the words "heretofore and."

And the House agree to the same.

ARTHUR CAPPER,
W. L. JONES,
J. M. ROBSION,
CARTER GLASS,
ROYAL S. COPELAND,

Managers on the part of the Senate.

CLARENCE J. MCLEOD,
E. M. BEERS,
JOSEPH WHITEHEAD,

Managers on the part of the House.

The report was agreed to.

Mr. COPELAND. Mr. President, there has been much public interest, not only in the District but in every city having police and fire departments, in the recent act for the District of Columbia.

Requests have been made for copies of the police and fire bill. The following is the form of the act as agreed upon by the conferees and accepted by both Houses:

Be it enacted, etc., That the annual basic salaries of the officers and members of the Metropolitan police force shall be as follows: Major and superintendent, \$8,000; assistant superintendents, \$5,000 each; inspectors, \$4,500 each; captains, \$3,600 each; lieutenants, \$3,050 each; sergeants, \$2,750 each; privates, a basic salary of \$1,900 per year, with an annual increase of \$100 in salary for five years, or until a maximum salary of \$2,400 is reached. All original appointments of privates shall be made at the basic salary of \$1,900 per year, and the first year of service shall be probationary.

SEC. 2. That the annual basic salaries of the officers and members of the fire department of the District of Columbia shall be as follows: Chief engineer, \$8,000; deputy chief engineers, \$5,000 each; battalion chief engineers, \$4,500 each; fire marshal, \$5,000; deputy fire marshal, \$3,000; inspectors, \$2,460 each; captains, \$3,000 each; lieutenants, \$2,840 each; sergeants, \$2,600 each; superintendent of machinery, \$5,000; assistant superintendent of machinery, \$3,000; pilots, \$2,600 each; marine engineers, \$2,600 each; assistant marine engineers, \$2,460 each; marine firemen, \$2,100 each; privates, a basic salary of \$1,900 per year, with an annual increase of \$100 in salary for five years, or until a maximum salary of \$2,400 is reached. All original appointments of privates shall be made at the basic salary of \$1,900 per year, and the first year of service shall be probationary.

SEC. 3. That privates of the Metropolitan police force and of the fire department shall be entitled to the following salaries: Privates who have served less than one year, at the rate of \$1,900 per annum; privates who have served more than one year and less than two years, at the rate of \$2,000 per annum; privates who have served more than two years and less than three years, at the rate of \$2,100 per annum; privates who have served more than three years and less than four years, at the rate of \$2,200 per annum; privates who have served more than four years and less than five years, at the rate of \$2,300 per annum; privates who have served more than five years, at the rate of \$2,400 per annum: *Provided*, That privates in class 3 on the effective date of this act who have served less than six years shall be entitled to an annual salary of \$2,200; privates who have served six years and less than seven years shall be entitled to an annual salary of \$2,300; and privates who have served seven years or more shall be entitled to an annual salary of \$2,400.

SEC. 4. That no annual increase in salary shall be paid to any person who, in the judgment of the Commissioners of the District of Columbia, has not rendered satisfactory service, and any private who fails to receive such annual increase for two successive years shall be deemed inefficient and forthwith removed from the service by the commissioners: *Provided*, That under such rules and regulations as the commissioners shall promulgate, the major and superintendent of police and the chief engineer of the fire department shall select and report to the commissioners from time to time the names of privates and sergeants in each department who by reason of demonstrated ability may be considered as possessed of outstanding efficiency, and the commissioners are authorized and directed to grant to not exceeding 10 per cent of the authorized strength, respectively, of such privates and sergeants in each

department additional compensation at the rate of \$5 per month: *Provided further*, That the commissioners may withdraw such compensation at any time and remove any name or names from among such selections.

SEC. 5. That, commencing with the effective date of this act, there shall be deducted for the benefit of the policemen and firemen's relief fund $3\frac{1}{2}$ per cent of the monthly pay of each member of the Metropolitan police force, the fire department, the United States park police, and the White House police force. That hereafter, upon the separation from the service of any such member, except for retirement as authorized by existing law, he shall be refunded the deductions made from his salary for said fund, and should any such member subsequently be reappointed to any of such police forces or the fire department he shall be required to redeposit to the credit of the policemen and firemen's fund the amount of deductions refunded to him. In the case of the death of any such member while in the service the amount of his deductions shall be paid to the legal representative of his estate, provided he leaves no widow or child or children entitled to and granted relief payable from said fund.

SEC. 6. The Commissioners of the District of Columbia are hereby empowered to determine and fix the amount of the pension relief allowance heretofore and hereafter granted to any person under and in accordance with the provisions of section 12 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes," approved September 1, 1916, and acts amendatory thereof.

SEC. 7. That this act shall be effective on and after July 1, 1930.

DIAL AND MANUAL TELEPHONES IN THE SENATE

Mr. SWANSON. Mr. President, the Sergeant at Arms reports that the dial telephones have been removed from the Senate wing of the Capitol in pursuance of the resolution of the Senate. I thought from the beginning that the right way to handle this question was to make the telephones here both dial and manual. The telephones in my office have always been both dial and manual; my secretary would use the dial, which he preferred, and I would use the manual, which I preferred.

I am going to offer a resolution requesting the Sergeant at Arms to direct the Chesapeake & Potomac Telephone Co. to install both dial and manual telephones in the Senate.

The resolution of the Senator from Maryland [Mr. TYNDINGS] would divide the telephones so that we would have half of them manual and half of them dial. The resolution of the Senator from Virginia [Mr. GLASS] would make them all manual. I think it can be arranged very easily so that we can have a choice of telephones, and those who want the manual telephone will be able to have that kind and those who want the dial telephone will be able to have that kind. I offer the resolution and ask unanimous consent for its immediate consideration.

Mr. REED. Mr. President, may I make a suggestion to the Senator?

Mr. SWANSON. I yield.

Mr. REED. The resolution under which the dial telephones were taken out has been complied with. There is nothing in the resolution that prevents dial telephones being put back if any Senator wishes to have them put back. I do not believe we need such a resolution as the Senator is offering; I think a mere request would be sufficient.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Massachusetts?

Mr. SWANSON. I should like first to have the resolution read so that Senators may see what it proposes.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 300), as follows:

Resolved, That the Sergeant at Arms of the Senate is hereby authorized and directed to order the Chesapeake & Potomac Telephone Co. to equip within 30 days all offices in the Senate wing of the United States Capitol and the Senate Office Building with telephones which may be operated either with dial or manually.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Massachusetts?

Mr. SWANSON. I yield.

Mr. WALSH of Massachusetts. I will say to the Senator that complaint has come to me from employees in the branch office of the Veterans' Bureau in the Senate Office Building that they have had in their office a dial telephone for seven years, which assists them in getting immediate connection with the Veterans' Bureau. The dial telephone, however, has been removed from that office. I have sought at their request to have it reinstated, but have been unable to do so, the telephone company taking the position that the resolution adopted by the Senate was mandatory. So, I think that, perhaps, some resolution ought to be adopted so as to permit the restoration of dial telephones

where they may be necessary in order to secure immediate connection with governmental departments.

Mr. REED. I think the Senator is right about that, if the Senator from Virginia will yield to me.

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Pennsylvania?

Mr. SWANSON. I yield.

Mr. REED. The branch veterans' office in the Senate Office Building has no way of communicating with the offices of the Veterans' Bureau except by using the dial, and, by the march of reform, when the dial telephone was removed that office could not communicate at all with the Veterans' Bureau, as there was no central there to work a manual telephone. So if there is any hesitation about putting the dial telephones back, I think the resolution ought to be adopted.

Mr. SWANSON. Mr. President, I have made inquiry and have ascertained that there are telephones which can easily be used with both systems. In my office I prefer to have both. It seems to me that the resolution I have submitted will solve the difficulty, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection?

Mr. JOHNSON. I object.

The VICE PRESIDENT. Objection is made.

The Chair lays before the Senate a communication from the Sergeant at Arms, which will be read.

The Chief Clerk read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
June 23, 1930.

To the PRESIDENT OF THE SENATE,

United States Senate, Washington, D. C.

SIR: Enclosed herewith is a copy of a letter just received from the president of the Chesapeake & Potomac Telephone Co. Informing me that the Senate resolution of May 22, providing for the removal of all dial phones from the Senate wing of the Capitol and the Senate Office Building has been carried out.

Respectfully,

DAVID S. BARRY.

JUNE 23, 1930.

Mr. DAVID S. BARRY,

Sergeant at Arms, United States Senate,

Washington, D. C.

MY DEAR SIR: This is to advise you that in accordance with your letter of May 22, 1930, we have replaced with manual telephones all dial telephones in the Senate wing of the United States Capitol and the Senate Office Building.

Very truly yours,

L. B. WILSON,

President Chesapeake & Potomac Telephone Co.

Mr. GLASS. Mr. President, reserving the right to object to the immediate consideration of the resolution offered by the Senator from Virginia—

The VICE PRESIDENT. Objection was made to the consideration of the resolution by the Senator from California [Mr. JOHNSON].

Mr. SWANSON. The resolution, then, will go over until to-morrow.

The VICE PRESIDENT. It will go over.

ANNA FACEINA

The VICE PRESIDENT laid before the Senate the amendments of the House to the bill (S. 968) for the relief of Anna Faceina, which were, on page 1, line 6, after the word "settlement," to insert "of all claims," and on page 1, line 7, after the word "Government," to insert "and."

Mr. COPELAND. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

NATIONAL SURETY CO.

The VICE PRESIDENT laid before the Senate the amendments of the House to the bill (S. 3038) for the relief of the National Surety Co., which were, on page 1, line 5, after the word "payment," to strike out "illegally," and on page 1, line 6, after the word "company," to insert "by mistake."

Mr. COPELAND. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

AMERICAN STEAM TUG "CHARLES RUNYON"

The VICE PRESIDENT laid before the Senate the amendments of the House to the bill (S. 3726) for the relief of the owner of the American steam tug *Charles Runyon*, which were, on page 2, line 5, after the word "costs," to insert "but with-

out any allowance for interest thereon prior to the entry of such judgment," and on page 2, line 11, after the word "principles," to insert "other than as above limited."

Mr. COPELAND. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

CHRISTINA ARBUCKLE

The VICE PRESIDENT laid before the Senate the amendment of the House to the bill (S. 1252) for the relief of Christina Arbuckle, administratrix of the estate of John Arbuckle, deceased, which was, on page 1, line 13, after the word "Massachusetts," to insert "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. HOWELL. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

DEWITT & SHOBE

Mr. TYDINGS. Mr. President, there is on the Vice President's desk an amendment of the House of Representatives to Senate bill 2972. It is a bill in which the Senator from Missouri [Mr. HAWES] is interested, and he authorized me to say for him that he should like to have the Senate concur in the House amendment.

The VICE PRESIDENT laid before the Senate the amendment of the House to the bill (S. 2972) for the relief of DeWitt & Shobe, which was, on page 1, line 14, after the figures "750," to insert "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. TYDINGS. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. BINGHAM. Mr. President, I ask that a resolution coming over from yesterday may be laid before the Senate.

The VICE PRESIDENT. The Chair is informed that there is no resolution coming over from a preceding day. The resolution which the Chair presumes the Senator from Connecticut has in mind is on the table. The Senator may call it from the table.

Mr. BINGHAM. I ask for the consideration of the resolution at this time.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 299) submitted yesterday by Mr. BINGHAM, which was read, as follows:

Resolved, That it is the sense of the Senate that \$9,000,000 is not a sufficient contribution to be made by the Federal Government to the expenses of the District of Columbia.

Mr. BINGHAM. Mr. President, I regret to ask the Senate to turn aside from its other duties at this time and to adopt this resolution, but Senators will realize that the conferees on the District of Columbia appropriation bill have been in a deadlock with the conferees of the House for some time. The Senate fixed the amount of the Federal contribution to the District appropriation at \$12,000,000; the House fixed it at \$9,000,000. The Senate conferees have repeatedly offered to compromise somewhere between \$9,000,000 and \$12,000,000, either halfway or whatever seemed a reasonable compromise, in view of all the circumstances.

The House conferees have been unwilling to move at all from their contention that \$9,000,000 was generous, and was entirely sufficient. Twice the Senate has voted, in effect, a vote of confidence in the action of its conferees. The action of its five conferees has been unanimous all along; but the House has two

or three times objected to the fact that we have taken no roll-call vote on this matter, and that there has been no vote after debate on it. In order to meet the objections of the House, and to do everything in a manner which would eventually enable us to arrive at a proper, logical, and reasonable conclusion, I have introduced this resolution; and I am going to ask that there be a roll call on it.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Kentucky?

Mr. BINGHAM. I yield to the Senator.

Mr. BARKLEY. As I listened to the reading of the resolution, it struck me that the language is rather unusual—

Resolved, That \$9,000,000 is not enough for the Federal Government to contribute toward the District of Columbia.

I suppose the Senator considered the parliamentary situation in offering the resolution in that language; but it strikes me as rather an unusual resolution simply to resolve that \$9,000,000 is not enough. Could not the Senator have been more specific than that in his resolution?

Mr. BINGHAM. Mr. President, had it not been for the unanimous-consent agreement whereby yesterday was devoted entirely to the consideration of the World War veterans' legislation, when I moved yesterday morning that the Senate still further insist on its amendments and ask for a conference I should have asked for a roll-call vote, which would have accomplished exactly what we sought. In view of the situation, however, and the desire of the Senate to devote yesterday entirely to the consideration of the veterans' bill, the limitation on debate, and so forth, I did not do so, but contented myself with merely securing unanimous consent so far to vitiate the original unanimous-consent agreement about the veterans' bill as to get the conferees appointed.

When the House acted on our request for a conference it was stated by Mr. CRAMTON, who has been interested in the lump sum from the beginning, that he hoped the House conferees would not agree to any compromise until the Senate had shown by a roll-call vote how they felt on the situation. Therefore I put the resolution in this form, in order that the Senate conferees might know how the Senate felt, in order that the House might know how the Senate felt, and in order that we might be able to reach a compromise.

It is true that it would have been more in order, perhaps, to have moved that the Senate still further insist upon its view that \$12,000,000 is the proper amount; but I felt that putting the resolution in these terms would enable us to effect a compromise, and would at the same time show the House that we in the Senate believe that \$9,000,000 is not an adequate contribution.

Mr. ROBINSON of Arkansas. Mr. President, I think this resolution sets a bad precedent. The machinery which our parliamentary procedure recognizes for bringing together the two bodies, where matters are in difference between them, is the agency of conference committees. If it were not for what happened in the body at the other end of the Capitol, and which was brought into the RECORD here by the Senator from Connecticut, I should very strenuously oppose the consideration of this resolution. It does seem to me that, with due regard for comity, the conferees representing either body should refrain from reflecting upon the motives or the conduct of the conferees representing the other body. It is of fundamental importance that this principle be recognized and acted upon.

One may frequently popularize himself for the time being by taking the floor in the Senate or in the House of Representatives and giving expression to sentiments that criticize or reflect on Members of the other body or on the proceedings of the other body; but it is bad practice, and it is that fact that prompts me to deviate from the principle that I laid down in the beginning of my remarks. To declare that one House is "bluffing," to declare that one House is not sincere in the position it has taken, tends to prevent the two bodies from getting together, which is essential in all cases of legislation where amendments are adopted by either of the two branches of Congress.

I do not like this proceeding; yet it is of very great importance that the District of Columbia bill be passed. To me it is such a reflection on the capacity of the two Houses to legislate that it is difficult to characterize it in language appropriate to be uttered on this floor, that a conference has broken up and a conclusion concerning a bill of the importance of the District of Columbia appropriation bill has failed, merely because the conferees are apparently unwilling to pursue the normal course, the course that must be followed in numerous cases where differences arise between the two bodies.

If the Senator from Connecticut finds that this is the only way to secure a further conference, and that the resolution is calculated to bring the District of Columbia appropriation bill out of its difficulties, I am not going to interpose an objection to the passage of the resolution.

Mr. GLASS. Mr. President, in my conception of the case we have reached a point where the Senate must determine whether it is or is not a part of the legislative branch of the Government of the United States. In the circumstances, I should not think any Member of the Senate, with a proper appreciation of his own self-respect or with one particle of spirit, would consent to serve as a conferee on the District appropriation bill.

For six years now, in utter disregard if not in contravention of the substantive law on the subject, which provides a proportion of 60 and 40 per cent for the District and for the United States Government, the conferees of the other branch of Congress have arbitrarily insisted upon a lump-sum appropriation for the District of Columbia; and they have arbitrarily named the amount in utter disregard of research and of facts and figures, and have persistently refused even to consider anything else.

I have hitherto pointed out that if \$9,000,000 six years ago, when we were appropriating but \$26,000,000 for the District government, was a fair proportion to be borne by the Federal Treasury, \$9,000,000 now, when we are appropriating \$43,000,000 for District purposes, is totally out of proportion. The Senate conferees have made every conceivable offer of compromise. We have proposed to change the substantive law so as to make the proportion 70 and 30. Some of us have indicated a willingness so to change it as to make it 75 and 25. If we were to readjust the percentage charge now to 75 and 25, it would take us a million and a half dollars above the arbitrary sum which the House has appropriated, and as to the readjustment of which it absolutely and offensively refuses to hear any argument or to conduct any negotiation.

Why, in the other branch of Congress the Senate has been openly and textually accused of bluffing, and treated in the most contemptuous way; so that I, for one, would refuse to serve as a Senate conferee on this appropriation bill if the Senate is not to sustain its conferees and maintain its own dignity in the matter.

Therefore I shall vote for this resolution, except that I would insist upon the \$12,000,000.

Mr. BINGHAM. Mr. President, I realize that there has been very little opportunity to explain why we believe that the amount of Federal contribution should be \$12,000,000; and we are asking practically for a vote of confidence in the conferees.

I appreciate greatly the position taken by the Senator from Arkansas [Mr. ROBINSON]. I realize that this is a most irregular procedure, but it has been made necessary by circumstances. It is very unfortunate that we are put in this position. It would have been better had we asked for a roll-call vote on the motion to insist on the amendment. The reasons, I may say to the Senate, why we believe \$9,000,000 is not sufficient are as follows:

In the first place, \$9,000,000 was adopted as a result of a compromise some five years ago, when the total bill amounted to about \$33,000,000. The total bill as it came over from the House this year amounted to about \$44,000,000. If \$9,000,000 was fair for \$33,000,000, it certainly is not a fair share of \$44,000,000. That is perhaps the fundamental reason.

In the second place, the number of things which the Federal Government, through the Congress, is asking the District to do is increasing very rapidly. We are asking the District to build a very large municipal center. We are asking the District taxpayers to buy four squares in the heart of Washington, at a cost of something over \$6,000,000, and on this to erect appropriate, monumental buildings, which will match the buildings erected by the Federal Government on the other side of Pennsylvania Avenue. No city of this size would think of condemning four city blocks in the center of the city and building a monumental project, to cost twenty-five or twenty-six million dollars, and ask the taxpayers to pay it out of the current revenue. That is one reason why we need additional contributions from the Federal Government—to help the District make the municipal center adequately beautiful and monumental.

Another reason is that recently we have asked the District to greatly extend its park system. There is no city in the United States that has anything like the park system, in proportion to its population, the District of Columbia has. In many cities the proportion is somewhere in the neighborhood of 1 acre to every 300 or 350. In Washington it is considerably less than 200. The taxpayers of the District, if they had their say in the matter, in view of the very large parks now in the city, larger than in any other city of the United States, would not burden them-

selves with a new project running up into something like \$16,000,000, putting it on their own shoulders, to be paid for out of taxes at the rate of a million dollars a year. We are doing that for the purpose of beautifying the Nation's Capital.

Those are some of the reasons. I do not like to take the time of the Senate to give other reasons. There are many other reasons which might be given, such as that there is more taxable property here in proportion than in any other city. But I shall ask the Senate to vote.

Mr. BLACK. Mr. President, I would like to ask the Senator what is the tax rate in the District of Columbia.

Mr. BINGHAM. The tax rate at present is \$1.70, which, as was pointed out in a study made by the Bureau of Efficiency last year, taking into consideration all the different elements which they took into consideration in their very exhaustive report, is about five one-hundredths less than the average tax rate for cities of comparable size.

Mr. BLACK. That is the total tax rate, \$1.70?

Mr. BINGHAM. The total tax rate is \$1.70, and in other cities, according to the careful study made by the Bureau of Efficiency, it is \$1.75.

Mr. HOWELL. Mr. President, I am surprised at the statement which has been made here by the Senator from Connecticut. Take, for instance, the city of Pittsburgh, where the taxes are 100 per cent greater than they are in this city. Take the city of Boston, Mass., where the taxes are 65 per cent more than they are in Washington. However, I will have some remarks to make respecting the tax rate here and the burdens which are being carried by the people of the city of Washington in my own time.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. PHIPPS. Mr. President, it has been one of my duties to act as chairman of the subcommittee on the District appropriation bill for some years, two or three years when we were under the 50-50 plan—at least one year—then the House insisted on a change, and the Senate agreed to the proposal of 60-40.

After the appointment of a commission the 60-40 was made the substantive law. It was in operation only two years before the House proposed a lump-sum appropriation. The Senate amended the bill so as to fix the proportion at 60-40. The bill went to conference with none other than that one item in dispute. It was nearing the end of the session, as the District bill is always one of the latest to be taken up; the House insisted upon the lump sum, the Senate resisted, and as chairman of the committee I absolutely declined to yield. I was perfectly willing to consider a change in the relative proportions, but I was absolutely opposed to going from a proportionate basis to a lump-sum figure. I even indicated a willingness to take a proportionate basis which would mean less in amount for the Federal contribution than the lump-sum figure offered by the House. However, I was overruled by the Senate leaders, I may say, and the Senate yielded.

Mr. President, that was a fatal mistake on the part of the Senate. It has been argued that the following year the House would be willing to raise the amount, that they would probably make it \$10,000,000, and the Senate committee wrote in that figure—\$10,000,000—but the House rejected it and stood out and stood out, adamant, until the last minute, and again, for fear of losing the bill, the Senate yielded.

History repeated itself for a year or two, until the bill had grown in amount from some \$26,000,000, as it was when we first started with the lump sum, to \$37,000,000. Then the Senate again wrote into the bill a proportionate basis, the substantive law, 60-40, which has never been repealed.

In the meantime attempts to have provision made for a commission to study what the relative proportion should be has met with opposition in the other body, and we were unable to come to an agreement and to settle the matter in that way; and I have reason to believe that at least one Member of the House who has been on the subcommittee, and one of the conferees, asked to be relieved from service.

Mr. President, when we went to conference with that bill, with nothing in disagreement but the one item, I stood out to the last for a proportionate basis as against the lump-sum figure. When it came to the point where I had reason to believe that the House would accept some proportionate figure, and I requested that we be allowed to have another conference—we reported disagreement on that one item alone—instead of being allowed to make the motion for a further conference I was overruled. I refused to make the motion to agree to the House proposition, receding from our own basis, and another Member of the Senate made the motion to recede and the bill was passed, whereupon I declined to act further as chairman of the subcommittee on the District appropriation bill.

Mr. President, I will make only a short reference to the matter of relative taxation. There are so many elements which enter into that it was difficult to have, even with a report made by our Bureau of Efficiency, a clear understanding of what taxation in the District of Columbia meant as compared with taxation in the city of Pittsburgh, to which one of the Senators referred this morning.

I happen to have been a resident of Pittsburgh. That was my home city, where I grew up. I still happen to own a little property there, and, of course, I know that the millage rate there is very much higher than the millage rate in Washington. I further know that the basis of assessment is entirely different, and that residence property, at least, in the city of Washington, is assessed more nearly its true or selling value than is the case in the city of Pittsburgh. But there is no use taking time to argue this question, so many elements enter into it.

In the city of Pittsburgh, for instance, if you are required to report your intangibles for the purpose of taxation, you are not taxed at the full rate on them; but if one took into account what the resident of Washington must pay on his intangibles, as well as the low millage rate on the full valuation of his real estate, if those figures could be had, then we would get some idea of relative taxation.

I do not want to reflect upon the Members of the other House, but it is a fact that attempts looking to a survey, through the appointment of a commission, in an effort to get information so as to give Members of Congress an idea of what should be paid, is absolutely blocked by certain Members of the House.

I regret the necessity of having to call upon the Senate to pass upon a form of resolution which seems to have been made necessary here this morning. I believe it one, however, which should receive the unanimous approval of the Members of the Senate.

Mr. CAPPER. Mr. President, I shall not attempt to discuss the merits of the controversy between the Senate and the House over the District of Columbia appropriations. I have given the matter of the fiscal relations of the Federal Government to the District of Columbia a great deal of study. I am convinced that there is justice and merit in the position taken by the Senate that the contribution of \$9,000,000 on the part of the Federal Government is unjust and inadequate.

There is involved in this particular controversy at this time, however, something which is more far-reaching—that is, whether the purpose and spirit of the conference procedure shall be willfully violated by the other body of the Congress. I think that question is of the highest importance to the Senate at this time.

It has been my privilege in recent years to take part in the deliberations of many conference committees. I will say to the Senate that I have never had any experience such as I have had in this controversy, where the committee representing the body at the other end of the Capitol has shown such a spirit of utter disregard of the fundamental idea back of conferences, where a committee has been so unyielding, so uncompromising, so stubborn in its attitude. I think such an attitude should not go unchallenged. I therefore hope that the resolution of the Senator from Connecticut will have the unanimous approval of this body.

Mr. HOWELL. Mr. President, this resolution opens up the entire question as to what the people of the city of Washington are doing toward contributing to the expenses of maintaining the government of this city. Are they contributing more or are they contributing less than the citizens of other cities in this country? It opens up this whole question, and I am a little surprised that the resolution has been offered on that account.

It is proposed to increase by 33½ per cent the amount the Government shall contribute toward the expenses of administering the affairs of Washington. Are we justified in doing it? Is it because the Government has been contributing too little and the people of Washington have been paying taxes which are too high? The people of this city enjoy remarkable advantages. The Federal Government supplies most of the income of the city. The Government has erected within Washington buildings that any city in the country would be proud to have. Wherever the Government has constructed such buildings throughout the country they are untaxed and the Government is urged to construct more buildings like them. The parks here, which have been donated by the Federal Government, are amazing in their beauty and their extent. Any city in the country would be delighted to have the Government come and do as much for them, nor would they find fault with the rate of taxation which is being paid to-day.

There has been constant complaint ever since I have been in Washington about the taxes here, and yet from my own experience, resulting from a lifelong interest in real estate, I have

found in nearly every case where real estate was quoted to me that when I ascertained the assessed valuation it was only about one-half of the price asked. I have no doubt but that if there is any Senator present who has followed the same course in investigating real estate his experience has been likewise. There may be exceptions. I know in connection with dwelling houses in every case quoted to me the assessed valuation was one-half of the price asked.

I remember hearing a citizen of Washington complain about the taxes upon his property. I had just been told that he had been offered \$125,000 therefor, but would not sell for less than \$150,000, and yet he complained that his taxes were \$600 a year. Mr. President, in my home city of Omaha, the home which I occupy could not be valued at to exceed \$30,000, and my taxes are more than \$600 a year; and yet here is a piece of property in Washington, the value of which was fixed by its owner at \$150,000, and he was complaining about paying \$600 taxes.

We do not need to guess about the matter. It will take very little investigation to determine what the people of the city of Washington are doing in maintaining municipal facilities, what they are doing in the way of paying taxes as compared with other cities. The matter has been thoroughly investigated. I have on my desk a table covering some 235 cities, with tax rates for 1929, all reduced to the same basis. After determining the factors there was then determined the percentage at which the property was assessed and thereby the tax rate was determined approximately, all founded upon one basis. What do we find there? This was done by Mr. C. E. Rider, Detroit Bureau of Government Research, and is reprinted from the National Municipal Review, volume 18, No. 12, December, 1929.

We find that in the city of Washington, on the basis utilized, the people are paying about 15.30. We find that on that same basis the city of Milwaukee is paying 53 per cent more in taxes, and Milwaukee is one of the most efficiently managed cities of the United States. We find that Boston pays 65 per cent more in taxes than the people of the city of Washington. We find that the city of Minneapolis pays 65 per cent more taxes than the people of the city of Washington. We find that Pittsburgh pays 100 per cent more taxes than the people of the city of Washington. If I remember rightly, Detroit pays about 55 per cent more taxes.

Mr. COUZENS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from Nebraska yield to the Senator from Michigan?

Mr. HOWELL. I yield.

Mr. COUZENS. I may state a concrete case with reference to \$5,000 and \$6,000 homes in the city of Detroit. In the case of a \$5,000 home its owner would have to pay \$150 taxes, but here in the city of Washington he would pay \$85 taxes at the present District rate. The whole argument for an increased contribution on the part of the Federal Government is one of the most absurd and silly things I have ever heard take place, even in a board of aldermen.

Mr. PHIPPS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. HOWELL. I yield.

Mr. PHIPPS. I would like to ask the Senator who is Mr. Rider, of Detroit, who authorized him to make these figures, and why they should be accepted as an authority, instead of taking the results ascertained by our own Federal Bureau of Efficiency in their inquiries into the matter?

Mr. HOWELL. These figures were compiled by the Detroit Bureau of Governmental Research from data furnished by members of the Government Research Association, city officials, and chambers of commerce.

Mr. PHIPPS. Why should that be taken as an accurate showing and the showing made by our own Federal Bureau of Efficiency discarded? I do not want to enter into a lengthy argument on the matter this morning, but I do want to ask the Senator, if I may, who paid for the acreage acquired for park purposes in the lower Rock Creek Valley, extending down the valley from the million-dollar bridge to the Potomac River? Who paid for it? The Senator speaks of the Federal Government having contributed.

Mr. HOWELL. I am not informed as to who paid for it.

Mr. PHIPPS. I will inform the Senator. The \$600,000 paid for that property about five years ago came entirely out of city funds. Also for the past six or seven years, ever since the adoption of the so-called Brandegee Act, as I believe it was termed, which authorized expenditures up to a million dollars a year for the acquisition of property for park purposes, the bill having been passed with the understanding that it represented .1 cent per year contributed by every citizen of the United States, appropriation bill after appropriation bill for the Dis-

trict has carried the figure of \$600,000 for park purposes, property purchased and not administered alone, charged entirely to the District fund. All of the cost of the operation of those properties is included in the District appropriation bill. It is not paid by the Federal Government, and yet the parks, such as that containing the Federal zoo, are called Federal Government parks.

Every time a large improvement has to be made here it is paid for by the District Government. For instance, it is proposed to rebuild the Connecticut Avenue bridge over Klinge Road. That can not be a mere piece of steel work. It must be made a monumental structure. It will cost two or three times as much as the ordinary city would expend to replace such a bridge. The same is true of the bridges down in the southeastern section of the city on Pennsylvania Avenue. Those have to be paid for out of the District revenues. That is the fact.

However, it is not the point that \$12,000,000 is the figure upon which the Senate conferees are insisting. The Senate conferees insist that the House should give some consideration to the views of the Senate, which suggested \$12,000,000, instead of holding so firmly to the \$9,000,000 that they will not yield a penny. That, we feel, is not having a full and free conference in endeavoring to compose the differences between the two Houses in a parliamentary matter.

Mr. HOWELL. Mr. President, the Senator from Colorado has pointed out the generous sums of money which have been taken from the funds of the District of Columbia and applied to such purposes as parks. He emphasizes the amounts that have been deducted from the revenues of the District of Columbia and used for the purpose of beautifying the city. Yet in spite of that fact, because of the tremendous contributions of the Government, the taxes here are only one-half as much as they are in Pittsburgh, Pa.

Mr. BLACK. Mr. President—

The PRESIDING OFFICER pro tempore. Does the Senator from Nebraska yield to the Senator from Alabama?

Mr. HOWELL. I yield.

Mr. BLACK. Does the Senator have the tax rates for Denver, Colo.?

Mr. HOWELL. I think I have.

Mr. BLACK. I make the inquiry because of the fact that Denver has perhaps one of the most beautiful systems of parks in the country.

Mr. HOWELL. Yes; I have the rate for Denver. The rate for Denver is between 65 and 70 per cent more than the tax rate in the city of Washington.

Mr. BLACK. What is the rate? I had understood it was more than that.

Mr. HOWELL. Using 15.30 as the basic rate in Washington, the rate in Denver is 25.76. On that basis it will be found that the taxes are 70 per cent more in Denver than they are here; but because of the generosity of the Federal Government in the contributions which it has heretofore made in the sum of \$9,000,000 a year, the city of Washington can set aside enormous sums for park purposes, for beautification of its streets and boulevards; and yet its taxes, as I have stated, are only one-half as much as they are in the city of Pittsburgh.

Mr. PHIPPS. Mr. President, will the Senator yield again?

Mr. HOWELL. Certainly.

Mr. PHIPPS. In response to the question of the Senator from Alabama, I call attention to this fact: It is not fair to say that a tax rate is twice as high as some other rate merely because the millage rate is double, because the question of valuation must be taken into account.

Mr. HOWELL. In the figures that I am using the question of valuation is all taken into account.

Mr. PHIPPS. I know that can not be so, or the Senator would not quote the figures for Denver. I know of residence property purchased here in Washington within the past 10 years which is to-day assessed at more than double what it was assessed for in 1920.

Mr. HOWELL. Am I to understand the Senator from Colorado to say that the real estate is assessed now at double what it was in 1920?

Mr. PHIPPS. I said I knew of real estate that is taxed at considerably more than it cost.

Mr. HOWELL. There has been a great development in this city since 1920. When improvements are made upon property, then, of course, we must expect to increase the assessment. The rates of taxation about which I am talking have all been reduced to a common basis, and I can assert that in Denver the rate of taxation is in the neighborhood of from 60 to 70 per cent higher than it is here in Washington.

Mr. President, it is not necessary to confine ourselves to certain sections. In Newark, N. J., taxes are 142 per cent more

than they are in Washington. The people of Washington have been spoiled; they do not realize what they have been saved in the way of taxation because of the generosity of the Government; but it is very often the case that a beneficiary will not be satisfied but will constantly cry for more.

The contribution by the National Government to the city of Washington is a tremendous question, because it is going on year after year. The Government is being drawn upon, and it will be drawn upon in the future. Now, the question arises: Are we to condemn the House of Representatives because, after considering tax rates, the rates that the people of the remainder of the country have to pay, and those that the people of Washington have to pay, they have come to the conclusion that \$9,000,000 is all that ought to be contributed? Is the Senate going to condemn the House because members of the Senate Appropriations Committee insist that the Government shall contribute more, in face of these facts?

If the Government had been niggardly, that would be another thing; but the facts are absolutely with the House of Representatives, and Senators should not take any action that will tend to condemn that body, because it is standing for what is right, proper, and just as between the cities of this country.

The PRESIDING OFFICER (Mr. VANDENBERG in the chair). The question is on agreeing to the resolution offered by the Senator from Connecticut [Mr. BINGHAM].

Mr. PHIPPS. Mr. President, it is desired to have a ye-and-nay vote on the resolution, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	McMaster	Steck
Ashurst	Gillett	McNary	Steinwer
Barkley	Glass	Metcalf	Stephens
Bingham	Glenn	Moses	Sullivan
Black	Goldsborough	Oddie	Swanson
Blaine	Hale	Overman	Thomas, Idaho
Borah	Harris	Patterson	Thomas, Okla.
Brock	Harrison	Phipps	Townsend
Broussard	Hatfield	Pittman	Trammell
Capper	Hayden	Ransdell	Tydings
Caraway	Hebert	Reed	Vandenberg
Connally	Howell	Robinson, Ark.	Wagner
Copeland	Johnson	Robinson, Ind.	Walcott
Couzens	Jones	Robison, Ky.	Walsh, Mass.
Cutting	Kendrick	Sheppard	Walsh, Mont.
Dale	La Follette	Shipstead	Watson
Deneen	McCulloch	Shortridge	Wheeler
Dill	McKellar	Smoot	

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, a quorum is present.

The question is on the adoption of the resolution offered by the Senator from Connecticut.

Mr. BINGHAM. I ask for the yeas and nays.

The PRESIDING OFFICER. Is the demand for the yeas and nays supported?

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. McNARY (when his name was called). On this question I have a pair with the Senator from Maine [Mr. HALE]. Not knowing how he would vote, I withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Utah [Mr. KING]. I transfer that pair to the junior Senator from Pennsylvania [Mr. GRUNDY] and will vote. I vote "yea."

Mr. WATSON (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Delaware [Mr. HASTINGS] and will vote. I vote "yea."

The roll call was concluded.

Mr. GILLETT (after having voted in the affirmative). I have a general pair with the Senator from North Carolina [Mr. SIMMONS], who has not voted. I do not know how he would vote if present. I transfer that pair to the senior Senator from New Jersey [Mr. KEAN] and will allow my vote to stand.

Mr. McCULLOCH. I desire to announce the unavoidable absence of my colleague [Mr. FESS].

Mr. STEPHENS (after having voted in the negative). I am paired with the senior Senator from Vermont [Mr. GREENE] and therefore withdraw my vote.

Mr. McNARY. I desire to announce the following general pairs:

The Senator from New Jersey [Mr. BAIRD] with the Senator from New Mexico [Mr. BRATTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from Alabama [Mr. HEFLIN];

The Senator from Maine [Mr. GOULD] with the Senator from South Carolina [Mr. BLEASE];

The Senator from Ohio [Mr. FESS] with the Senator from Mississippi [Mr. HARRISON]; and

The Senator from New Hampshire [Mr. KEYES] with the Senator from Arkansas [Mr. CARAWAY].

Mr. SHEPPARD. I desire to announce that the Senator from Texas [Mr. CONNALLY] and the Senator from Mississippi [Mr. HARRISON] are detained on official business.

The result was announced—yeas 54, nays 5, as follows:

YEAS—54

Allen	Glass	Oddie	Thomas, Idaho
Ashurst	Glenn	Overman	Thomas, Okla.
Barkley	Goldsborough	Patterson	Townsend
Bingham	Hatfield	Phipps	Trammell
Borah	Hayden	Pine	Tydings
Brock	Hebert	Pittman	Vandenberg
Broussard	Jones	Reed	Wagner
Capper	Kendrick	Robinson, Ark.	Walcott
Copeland	La Follette	Sheppard	Walsh, Mass.
Cutting	McCulloch	Shipstead	Walsh, Mont.
Dale	McKellar	Shortridge	Watson
Deneen	McMaster	Steinwer	Wheeler
Dill	Metcalf	Sullivan	
Gillett	Moses	Swanson	

NAYS—5

Black	George	Harris	Howell
Blaine			

NOT VOTING—37

Baird	Goff	Kean	Schall
Bleas	Gould	Keyes	Simmons
Bratton	Greene	King	Smith
Brookhart	Grundy	McNary	Smoot
Caraway	Hale	Norbeck	Steck
Connally	Harrison	Norris	Stephens
Couzens	Hastings	Nye	Waterman
Fess	Hawes	Ransdell	
Fletcher	Hefflin	Robinson, Ind.	
Frazier	Johnson	Robison, Ky.	

So the resolution was agreed to.

INTERSTATE TRANSPORTATION OF BLACK BASS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 941) to amend the act entitled "An act to regulate interstate transportation of black bass, and for other purposes," approved May 20, 1926, which was to strike out all after the enacting clause and to insert a substitute.

Mr. COUZENS. I move that the Senate disagree to the amendment of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. COUZENS, Mr. WATSON, and Mr. PITTMAN conferees on the part of the Senate.

H. F. FRICK AND OTHERS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3472) for the relief of H. F. Frick and others, which were, on page 1, line 9, to strike out "\$889.08" and insert "\$725.08," and on page 1, line 12, after the word "Georgia," to insert: "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. HARRIS. I move that the Senate concur in the House amendments.

The motion was agreed to.

NATIONAL HEALTH INSTITUTE AND HYDRAULIC RESEARCH LABORATORY

Mr. ASHURST. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Manufacturers Record of Baltimore, Md., a high-grade and widely read publication. The editorial is entitled "Two Splendid Legislative Measures."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From Manufacturers Record, June 19, 1930]

TWO SPLENDID LEGISLATIVE MEASURES

Louisiana, through its representation in Washington, has played a leading part in two recent pieces of indisputably constructive legislation of national scope. The first is the bill for the National Institute of Health, conceived and persistently pushed by Senator RANSDELL. The second is the bill for the establishment in the Bureau of Standards of a National Hydraulic Research Laboratory,

fought for by Senator RANDELL and Congressman JAMES O'CONNOR, also of Louisiana.

The first, the National Institute of Health, will be a great research institute, richly endowed, to make fundamental researches into the causes and cures or prevention of the most serious of human ailments. In this sort of research, Senator RANDELL has pointed out, the Government spends lavishly for advancing the health of pigs, cattle, and plants, but almost nothing for humanity. Through the National Institute of Health the Government will do for humanity what it has done for the lower orders of life.

The National Hydraulic Research Laboratory has long been a dream of the engineering profession in the Nation, and it has been advocated by that great engineering fraternity, the National Engineering Council. Gen. Lytle Brown, Chief of Corps of the Army Engineers, at the hearings this session came out frankly and vigorously for it.

For both of these measures Senator RANDELL has fought long and well, and in each he has had the whole-hearted support of the Manufacturers Record.

On the second measure, that providing for the National Hydraulic Research Laboratory, the current bulletin of the American Engineering Council says that for this "Senator JOSEPH E. RANDELL, Congressman JAMES O'CONNOR, and Mr. John R. Freeman are chiefly responsible."

Thus Louisiana's representatives in Washington put themselves at the head of broad-gaged legislation designed to benefit all States alike.

EFFECT OF NEW TARIFF LAW

Mr. ODDIE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Washington Post of June 21, showing some of the effects on labor and industry from the operation of the new tariff law.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 21, 1930]

THE PRICE OF SHOES

A New York merchant is advertising men's shoes "at old tariff prices" until July 1, when they will be "priced under the new tariff." This may be "smart" merchandising, but it is deceptive. The shoes in question are British-made. The increased duty will add to their selling price; but the inference in the advertisement is that the tariff will boost the price of all shoes, even if made in the United States.

The tariff is designed to keep off the American market any foreign product which, because of low labor costs, makes competition by American manufacturers impossible. Every pair of foreign shoes sold in the American market deprives an American manufacturer of a sale. The aggregate of such sales has been large enough to affect seriously the prosperity of the American shoe-manufacturing industry. The American manufacturer is able to build as good a pair of shoes as his foreign competitor. The effect of the tariff will not be that Americans will have to accept inferior domestic articles at increased prices but that they can purchase identical articles, or superior, at similar or lower prices manufactured in American shops.

A New York newspaper man recently interviewed the expert economists of the Government and found them unanimously agreed that the cost of living would drop in the next few months, regardless of the tariff. They asserted that every government protesting against the new schedules is listed among the 55 countries that have increased their duties on American products within the last four years. Many of the protests are eight or nine months old, and they are fewer than the objections raised to the Fordney-McCumber Act when it became law eight years ago. Many of the protests, it was said, relate to duties that were eliminated from the bill before its enactment.

American importers who continue to harp on the mythical evils of the recently enacted tariff law play into the hands of foreign manufacturers. The man who declares in his advertising that the price of shoes is about to be boosted should make it clear that he refers to imported shoes. Of course, the price of British boots and other foreign-made merchandise will be increased as a result of the tariff. American manufacturers will have their business stimulated as a result, however, and their humming factories will provide work for Americans. If any customer wishes to purchase imported products, let him pay the higher price. Where did he get the money with which to buy, if it is not from the income he receives as a producer? How could he buy any shoes at all if he were unemployed?

RADIO ADDRESS BY SENATOR WATSON ON THE TARIFF

Mr. McNARY. Mr. President, on June 20 the distinguished Republican leader, Hon. JAMES E. WATSON, of Indiana, delivered over the radio through station WMAL an illuminating and eloquent address on the tariff and its benefits. I ask unanimous consent that it may be inserted in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

The principal arguments of Democratic orators in both House and Senate during the consideration of the Smoot-Hawley tariff law so re-

cently enacted consisted altogether of denunciation. For over a hundred years that has been the line of attack pursued by opponents of the protective tariff system. Every bill proposed has been "the most infamous," "the most outrageous," and "the most un-American" law ever enacted on the subject. A Niagara flood of such denunciation marked the passage of the Dingley law, and the Payne-Aldrich law, and the Fordney-McCumber law, and precisely the same sort of fusillade was indulged in to a limitless extent during the passage of the law just enacted.

The condition in the country now is quite similar to that which existed immediately after the passage of the Fordney-McCumber law. Then there were 4,000,000 men out of employment, then factories were closed and operatives idle and capital in hiding. Then, as now, there was uncertainty throughout the country and people were filled with fear because of it.

I want now to take up the Democratic Campaign Textbook of 1922, the one they used throughout the political contest that year, the one that all speakers took for their information and inspiration throughout that campaign, and to read from page 22 of that book to show you that the conditions that obtained then obtain now and that the Democrats were saying precisely the things then about that law that they are saying now about this law. The Fordney-McCumber Act had just been passed when these things were written, precisely as the present law has just been enacted and is receiving the same character of attack as the one that followed the passage of that law—a regular machine-gun attack of denunciation.

I read: "The Fordney-McCumber profiteers' tariff bill is the worst tariff bill ever passed by an American Congress." This is exactly what they have said about every other protective tariff bill ever passed in this country. "This is the opinion not only of Democrats but of the leading Republican newspapers, the commercial and trade papers, the most prominent Republican business men, and even of some Republican Senators and Representatives." And that was true then and the same is true now. Those who denounced it then either did not understand it or were filled with fear regarding it, just as those who are opposing it now are in the state of mind concerning it which is the result of a lack of understanding of its fundamental principles. It is true that many leading Republican newspapers and trade papers and many prominent Republican business men have been opposing this tariff, just as they have opposed many tariff acts in the past, but always their predictions have been swallowed up by the prosperity produced by the passage of these acts, just as will occur in this instance.

SOME OBJECTIONS

Some of the main objections urged against the Fordney-McCumber tariff bill are:

"It puts an additional tax upon the people of the United States of \$3,000,000,000 to \$4,000,000,000, according to how the special privilege class in whose interest it was passed takes advantage of its provisions." Although challenged time and again to say why they had arrived at the sum of \$3,000,000,000 to \$4,000,000,000 nobody ever answered. They had just as well said \$10,000,000,000 or \$15,000,000,000, because there was not the slightest foundation for the assertion. In fact, instead of levying tribute on the people to the extent of billions, it reduced the cost of living, it opened all the factories, it set all the idle men to work, it brought all the hidden capital into the open, and it resulted in a degree of prosperity never enjoyed by this or any other land until the crash in the stock market last October.

And again: "It will not yield the Government itself more than \$250,000,000 in revenue under the most favorable circumstances." The answer to which is that last year it provided \$604,000,000 of revenue. Nothing more need be said on that item. And every other prophecy carried in that book about that law was just as rational as this one."

And again I read:

"It gives to special privilege and profiteering classes an amount of protection estimated as high as \$6,000,000,000."

Our friends have grown modest in the last eight years. Then, they proclaimed with unusual vehemence that we had fleeced the American people out of \$6,000,000,000 by the passage of that law. The highest that any one of them put the fleecing this year was at \$1,000,000,000 by the passage of this law. That assertion was utterly baseless before and it is utterly baseless now. It was a wild, unsupported blast based on no fact and utterly without a scintilla of truth on which to found it. Exactly the reverse was true because all the people, without regard to rank, or class, or section, or occupation, were greatly benefited by that act during its entire life.

And again: "It will greatly increase the high cost of living." During the entire consideration of that law the cry was daily raised that we hear now, namely, that an increased tariff would result in increased prices to the consumer. It will be recalled that then, as is being done right now, tables were put out showing how many billions of dollars in increased cost of living would be loaded on the backs of the consuming public by the tariff act of 1922.

Capper's Weekly recently published some Government figures which show the relationship between such claims and the facts. During the period 1918-1930 food, clothing, fuel, light, and house furnishings were at their high point for the period in 1920, miscellaneous items entering

into the cost of living in 1921, and rent only, upon which there is no tariff, in 1924. Basing the index number of 1913 at 100, clothing sank in wholesale price from 287.5 in 1920 two years after the close of the World War to 160.5 in 1929. House furnishings sank from 292.7 in 1920 to 197.7 in 1929.

Facts like these of course, will have no effect on the fervent imaginations of the foes of the protective policy. Now, as they did eight years ago, they are putting out mathematical tables trying to prove that increases in the tariff law result in heavy increases in the cost of living, despite the fact that over and over again it has been demonstrated that increased competitive activity within the United States under tariff encouragement, while resulting in more general employment, always has decreased and not increased the cost of living. Moreover, our tariff history has demonstrated beyond all peradventure that a protective tariff provides, rather than destroys, the means of earning that living.

And, again, the Democratic textbook of 1922, in summarizing all of the dire effects that were sure to follow the passage of the Fordney-McCumber bill, recited the following additional cause of woe to the American people:

"It will prevent the collection of \$11,000,000,000 foreign indebtedness." It really is a source of mirth to contemplate a proposition of that kind. The truth is that settlements have been made with all of our foreign creditors except Russia, and the fact that we set up a tariff against imports into this country from those countries had not a thing in the world to do with the collection of those debts. This shows how far afield the opponents of the tariff always have gone in making wild assertions about the results of the enactment of a tariff law.

MORE MISTAKES

And the next is a favorite charge of the opponents of the protective tariff system, repeated so many times during the last discussion in Congress that it became almost a daily matter during the entire time: "It is practically an embargo upon foreign products, and will destroy what is left of our foreign trade, already reduced one-half under this administration." Such was the Democratic assertion. What were the uncontrovertible facts? We increased our imports under the Fordney-McCumber law, right in the teeth of these dismal assertions, from \$3,112,000,000 in 1922, to \$4,400,000,000 in 1929, or \$1,287,000,000 of an increase in what we bought from other people, while our exports during the same period rose from \$3,831,777,000 in 1922, to \$5,241,262,000 in 1929, or an increase of \$1,409,485,000 in what we sold to other people. In other words, despite all these doleful prophecies of woe, our total foreign commerce rose from \$6,944,524,000 in 1922, to \$9,641,389,000 in 1929, or a total increase of \$2,696,865,000 in what we bought from and sold to the other people of the world.

And yet this remarkable Campaign Textbook of 1922, so replete with unfulfilled prophecies, solemnly recited on page 25 that: "In surrendering the American people to the selfishness and greed of some 4,000 representatives of privilege and monopoly, the bill automatically closes foreign markets not only as a source of supply for American consumers but as a selling place for our surplus products, agricultural and manufactured." How could such fantastical propositions ever originate in the brains of men as able as our fellow Senators and as wise as our colleagues who have daily repeated just such assertions for the last six months? Those prophecies were utterly groundless when uttered before and they are utterly groundless now. Not one of them was fulfilled by succeeding events and not one of them will be now. And yet these same Senators for months have stood upon the same floor to utter these same wild predictions as to the results of the passage of the Smoot-Hawley law. And this same Democratic Textbook solemnly asserted that the Fordney law was "practically an embargo upon foreign products" and that it "will destroy what is left of our foreign trade."

Is it not possible for them to learn anything from experience or to glean either knowledge or wisdom from demonstrated facts?

And again, we were told in that Democratic bible of 1922, from which every text was taken for campaign sermons that year, that "this tariff law will work irreparable injury to labor by reducing production and creating a surplus of labor with consequent wage reduction." And yet the simple truth is that exactly the reverse occurred in every phase of this prediction.

Labor instead of being injured was greatly benefited, evidenced by the fact that deposits in savings banks during the operation of that law increased from \$10,000,000,000 to \$16,000,000,000 in the United States, and the representatives of labor swarmed the corridors of the Capitol from the beginning to the end of the consideration of the present tariff law demanding that it be enacted in the interest of protection to the laboring classes of the country. There was no surplus of labor until the crash in the stock market, nor have there been wage reductions for, notwithstanding the present unfortunate situation in the country, President Hoover secured promises from the heads of the great labor organizations that they would not strike during the continuance of the present depressed condition of the country and also pledges from the employers of labor that they would not reduce wages even under extreme conditions.

And again this marvelous collection of prophecies recites: "It contains an unconstitutional clause delegating the legislative powers of Congress to the President," and yet that very clause was held constitutional by the Supreme Court of the United States and was re-enacted in the present law giving to the President additional power.

And another dire prediction contained in that Campaign Textbook was to the effect that "This presidential clause will create endless confusion in the customhouses and great opportunity for graft and corruption in determining fluctuating valuations." Never was a more groundless assertion made in the history of any tariff legislation. Exactly the reverse has occurred in every instance and nowhere at any time have any charges of this kind been made by anybody since the passage of that law.

And the last prophecy to which I desire to call attention sums up all the sad conditions and sorrowful situations that will fall upon the American people because of the passage of that law.

"It will prevent any natural or normal revival of industry or business," it says, "and bring about intolerable conditions of living for the American people." That statement is so fantastical as to be grotesque, and one wonders how citizens of the United States at all familiar with the history of the tariff laws of the Nation and their results could possibly have been brought to write such a sentence, or make such a prediction, even under the stress of political battle. Not one single thing thus set forth happened in this country, or to our people, as the result of the passage of that act, and every single prophecy therein made turned out to be utterly false, refuted by indisputable facts and by the experience of every American citizen.

And yet precisely the same predictions are now being made with reference to the passage of this law and its results that were then made with reference to the passage of that law and its results. None of them proved true then, and none of them will prove true now. Two and two always make four, like causes always produce like results under like circumstances, and no tariff law ever enacted in American history produced any of the results set forth by these calamity howlers and these purveyors of woe.

And yet it is passing strange that after all of this terrible arraignment of the act of 1922 by the entire Democratic Party, by every Democratic stumper and orator throughout the country, by the Democratic press and Democratic literature of every kind and character, the rates imposed by that act became the standard by which these same Democrats measured tariff revision throughout the whole period Congress was discussing the Smoot-Hawley tariff law. Practically the sole question that guided them throughout was: "Is the proposed rate higher than the one carried in the present law?"—meaning the Fordney-McCumber law.

If it was higher they voted against it, if it was lower they were willing to raise it to that level. In but very few instances did they ask to change a single one of the rates carried in the Fordney-McCumber law, but struck at every proposal to increase those rates. Verily the stone rejected by the builders became the head of the corner, and the "infamous" Fordney-McCumber tariff law of 1922 that they deluged with their epithets and submerged beneath their curses became the standard by which they were willing to measure all rates in 1930. No more glaring inconsistency has ever been brought to light in the entire tariff-making history of the United States.

FOREIGN PROTESTS

Our Democratic friends have rolled under their tongues as sweet morsels for months the protests uttered by representatives of foreign nations against the passage of the law just enacted. This is an old practice by those nations. When the Dingley law was under consideration 31 nations protested vigorously and said that it would destroy our trade with them. When the Payne-Aldrich tariff bill was under consideration 40 nations voiced their protest.

During the months that the Fordney-McCumber bill was up for action, 37 nations vehemently expressed their resentment through their representatives. Consuls from those nations held a meeting in New York to protest against the passage of that act. They did not want to meet on American soil and be subject to that criticism, and so they hired a boat and went out beyond the harbor limits, where they held a banquet and spoke with the utmost freedom about what was going to happen under the then proposed tariff law. Two foreign ambassadors made open speeches in this country, one protesting that our commerce with his country would practically cease, and the other uttering dire threats to the effect that his country would no longer buy from this country if we passed that law. And for months newspapers and magazines teemed with articles written by writers from foreign countries inveighing in caustic terms against the protective tariff system in general and against the passage of the then pending law in particular. It is the same old story.

But let it be remembered that 68 per cent of all the imports coming into this country under the Fordney-McCumber law came in free of duty, and that practically the same per cent will come in free of any tariff exaction under the existing law. All this talk about isolation, therefore, becomes idle if not farcical in the light of that fact.

And, furthermore, let it be remembered that every nation protesting against the passage of this act has raised its own tariff rates within the last 12 years and in multiplied thousands of instances higher than the rates carried in our own law. And thus, while they protest vehemently against our people protecting themselves by a law of this character, they openly and boldly pass more drastic ones themselves. And yet these are the same people that have filled our papers with these threats of reprisals.

My fellow citizens, it is an old story, but let us remember that this law was enacted for the benefit of our people, our own country, our own laborers, our own manufacturers, our own farmers and not for the benefit of the citizens of any other country on earth. It is the American policy for which we stand and which has brought our country to its present high position among the nations of the world.

SOME PAST HISTORY

The Democrats filibustered the McKinley bill of 1890 until three weeks before the election and then permitted it to be passed. This enabled them to go out on the stump and make every conceivable kind of charge against that tariff act and no possible proof of the falsity of the charges could be made because of the shortness of the time in which to make them. The great flood of denunciation that was poured out upon the American people had its effect because the only possible way in which to demonstrate the falsity of charges of this kind is by the actual operations of the law itself, and three weeks was not sufficient for that demonstration to be made.

The Democrats filibustered the tariff bill of 1922, having it in the Senate five straight months, and until six weeks before the election that year. They then filled the newspapers with their clamors about the effects of the passage of that act. All their campaign speakers terrorized audiences by telling of the horrible things that were about to break before them because of the passage of that tariff act. They cast a gloom over the whole American people by their recital of the doleful conditions that were about to come upon our citizens because of the enactment of that "most infamous" of all tariff laws.

Six weeks is not a sufficient time for a tariff law to vindicate itself or to justify the wisdom of its sponsors, and so the Republican Party suffered at the polls because the people believed many of these dire prophecies and those vehement assertions.

The law just passed was held in the Senate almost nine months, and it is now but four months and a half until the election occurs this fall. During this time all the Democratic newspapers will be filled with those same dismal forebodings and these same gloomy prophecies and we shall have dinned into our ears over and over again from every stump in the country and from every Democratic orator throughout the land the sad predictions of the blighting and withering results of this "infamous" tariff law we have just fastened upon the helpless people of our country.

Whether or not four months will afford time and opportunity for this tariff law to vindicate the wisdom of its provisions and the soundness of its rates can not now be foretold, but that vindication is just as sure to come later on as day is to follow night. It always has been so in the past and it always will be so in the future while protective tariffs continue to be essential to protect American labor and American capital from Niagara floods of importations from abroad.

SALIENT FACTS

The rates in this bill are no higher than they were in any other tariff bill passed in 40 years and are lower than those imposed by the McKinley law, and the Dingley law, and no higher than those provided by the Wilson law.

The simple truth is that the total increase in duties under the pending bill amounts to but \$6,736,551 for the different items designated as the nonagricultural group while all the other increases are those imposed upon agricultural products. That is, putting it differently, but 6.25 per cent of the total increase is upon nonagricultural products while 93.75 per cent represent increases in duties based upon agricultural raw materials.

This Congress literally has executed the wish of the President in calling the special session of Congress last year, namely, to aid agriculture as far as possible by the imposition of additional tariff duties on agricultural products, and at the same time to help those industries that were being injured by large imports of competitive products from abroad. These two objects have been accomplished and the immediate future will show conclusively the wisdom of this action.

This bill is a wholesome piece of legislation for three reasons particularly, first, it disposes of the whole matter after 18 months of consideration and thus gives business a clear view of where it stands and dispels the clouds of uncertainty that during all of this time have hovered over the industries of the country. Secondly, it provides higher rates for the protection of agriculture and thus will give to a third of the people of the country added prosperity and increased purchasing power. Third, it gives added authority to the President through the flexible provisions it provides to deal with the inequities and inequalities which inhere in every tariff bill because of the very character of the legislation, and which will enable him to meet changed conditions and shifting costs of conversion as they occur from time to time throughout the world. The

country has operated under the protective tariff throughout 125 of the 150 years of its existence. Our business is adjusted to it and the policy must be continued if we are to hold our place among the nations of the world. A large number of the Democrats recognize this, witnessed by the fact that five of them voted for this bill directly and all of them voted to protect the particular products of their own State thus showing that they favor it for local reasons if not as a national policy. We doubtless shall travel a bumpy road for a few weeks, just as we always have after the enactment of any tariff measure but soon we shall be in the open with a clear way before us and normal prosperity will be resumed in the country largely because of the passage of the Smoot-Hawley tariff law.

REVISION OF THE TARIFF

Mr. RANDELL. Mr. President, I ask unanimous consent to have printed in the RECORD an article appearing in the Traffic World for June 21, 1930, relative to the tariff.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TARIFF CHICKENS COME HOME TO ROOST

This week we got a new tariff law. Theodore Roosevelt would have so said. He loved that Saxon verb, "got." It applies to the result, if one has striven for the thing "got." It applies if one has fought against it. Whether one likes it or detests it, the new tariff law is on the statute books. Many think the price of uncertainty that has prevailed for more than a year is too high to pay for a tariff revision.

However, there is no profit in reviewing it. There may be a thrill or chill in recalling a fact or two in connection therewith. As usual in the case of many protective tariff bills in the last 40 years, the back-log of the fire the Republicans built in favor of the bill that is now a law was composed of the two Democratic Senators from Louisiana. But they were only some of the Democrats who testified to their belief in a protective tariff. The Florida Senators also voted that way—voted with the California Republicans to protect the citrus fruits and other things grown by the two States that vie with each other in so many things, even if they will not publicly admit that there is any real comparison between their climates and their fruits. But the two Louisiana Democrats, for years have been reliable protectionists. Donelson Caffery was the only exception to the rule that Louisiana Senators and Maine Senators are brothers under the skin in tariff matters. No other protective tariff bill in recent years has had such Democratic support as rallied around this one. It is well to qualify by saying "in recent years," because, before the War between the States, there were a good many Democratic protectionists at one time or another.

But the thing to make one's eyes blink is the fact that RUTH BRYAN OWEN, Representative from Florida, daughter of William Jennings Bryan, also helped in the passage of this bill. And yet, in 1894, her father was carried on the shoulders of his Democratic colleagues on account of the "tariff for revenue only" speech made by him in the tariff fight of that year.

THE CALENDAR

Mr. McNARY. Mr. President, is the morning business completed?

The PRESIDING OFFICER. The morning business is closed. **Mr. McNARY.** I ask unanimous consent that the Senate proceed to the consideration of unobjected bills on the calendar.

Mr. REED. Mr. President, will not the Senator couple with that a request that we may continue on the calendar until 3 o'clock? It is a pretty long calendar.

Mr. McNARY. I intend to have a morning hour to-morrow.

Mr. REED. Very well.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered. The clerk will state the first bill on the calendar.

The first business on the calendar was the bill (S. 168) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands.

Mr. LA FOLLETTE and **Mr. GEORGE.** Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 76) to amend Rule XXXIII of the Standing Rules of the Senate relating to the privilege of the floor was announced as next in order.

Mr. LA FOLLETTE. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 551) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

Mr. ROBINSON of Arkansas. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 49) authorizing Committee on Manufactures, or any duly authorized subcommittee thereof, to investigate immediately the working conditions of employees in

the textile industry of the States of North Carolina, South Carolina, and Tennessee was announced as next in order.

Mr. METCALF. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

Mr. BINGHAM. Mr. President, in view of the fact that we have such a short time this morning, I will ask the Senator from Oregon [Mr. McNARY] if he will not alter his unanimous-consent agreement so that we may begin where we left off the last time with unobjected bills, so that we need not go through all the bills that have been objected to a great many times heretofore.

Mr. McNARY. It was my intention to incorporate in the unanimous-consent agreement a proposal to begin with Order of Business 921, House bill 11978.

The PRESIDING OFFICER. If there is no objection, the order will be amended to commence with Order of Business No. 921.

Mr. HEBERT. Mr. President, I am interested in Order of Business No. 889, Senate bill 4425. I think I can explain it to the satisfaction of the Senate.

The PRESIDING OFFICER. The order of the Senate now is to begin with Order of Business No. 921, unless unanimous consent is given otherwise.

Mr. HEBERT. Then I ask unanimous consent to take up Order of Business 889.

The PRESIDING OFFICER. The Senator from Rhode Island asks unanimous consent to revert to Order of Business 889. Is there objection? The Chair hears none. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (S. 4425) to amend section 284 of the Judicial Code of the United States.

Mr. TYDINGS. Mr. President, what part of the code does the bill amend?

Mr. HEBERT. I will state that to the Senator in just a moment.

Mr. ROBINSON of Arkansas. Mr. President, I think this is an important bill, and we can not discuss it under this limitation. I suggest that it go over.

The PRESIDING OFFICER. Objection is made. The clerk will state the next bill on the calendar.

APPOINTMENT OF EMPLOYEES IN EXECUTIVE BRANCH OF THE GOVERNMENT

The bill (H. R. 11978) to authorize the appointment of employees in the executive branch of the Government and the District of Columbia was considered by the Senate and was read, as follows:

Be it enacted, etc., That section 169 of the Revised Statutes, as amended (U. S. C., title 5, sec. 43), is amended to read as follows:

"There is authorized to be employed in each executive department, independent establishment, and the municipal government of the District of Columbia, for services in the District of Columbia or elsewhere, such number of employees of the various classes recognized by the classification act of 1923, as amended (U. S. C., title 5, ch. 13), as may be appropriated for by Congress from year to year: *Provided*, That the head of any department or independent establishment may delegate to subordinates, under such regulations as he may prescribe, the power to employ such persons for duty in the field services of his department or establishment."

The act of May 22, 1926 (44 Stat. 620), is hereby repealed.

Mr. JONES. Mr. President, are these employees under civil service?

Mr. DALE. Mr. President, the bill simply recites exactly what has been the custom here for over 100 years. After the passage of the civil service law the employees all went under that law; and the passage of this bill is rendered necessary merely because the Comptroller General has so interpreted the law that it can not be carried out by the subordinate employees. Under his interpretation all this employment has to be submitted to the head of the department, which makes the procedure very cumbersome and almost impossible.

Mr. JONES. It is the Senator's understanding, then, that these employees will be under civil service?

Mr. DALE. They are under the civil service, and will be appointed from the civil-service list.

The bill was ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 4561) for the relief of Sally S. Twilley was announced as next in order.

Mr. HOWELL. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3644) for compensation in behalf of John M. Flynn was announced as next in order.

Mr. HOWELL. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 11144) to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes, was announced as next in order.

Mr. COUZENS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

RECEIVERSHIPS OF JOINT-STOCK LAND BANKS

The bill (S. 344) to amend the Federal farm loan act with respect to receiverships of joint-stock land banks, and for other purposes, was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Federal farm loan act as amended (U. S. C., title 12, ch. 7, secs. 641-1021) be amended by inserting after section 29 thereof (U. S. C., title 12, ch. 7, secs. 961-966) the following new paragraphs:

"Sec. 967. The Federal Farm Loan Board and the receivers appointed by it, respectively, are and shall be vested, in connection with receiverships heretofore or hereafter instituted for banks or associations under this act, with all of the powers and authority which at the date of the enactment hereof are vested in the Comptroller of the Currency and the receivers appointed by him, respectively, under the national bank laws with respect to national-bank receiverships, as fully as if such powers and authority were specifically set forth in this act, but without thereby limiting any of the provisions of this act or the general powers of the Federal Farm Loan Board thereunder.

"Sec. 968. At any time before the expiration of three years after the date of any assessment made hereafter by the Federal Farm Loan Board to enforce the liability of shareholders of any association or land bank under this act a receiver appointed by the said board may institute suits for the enforcement of such assessment.

"Sec. 969. The procedure of the Federal Farm Loan Board and the steps taken pursuant thereto in connection with the administration of the receiverships heretofore instituted under this act are hereby ratified and confirmed as fully to all intents and purposes as if the powers and authority vested by this act in the Federal Farm Loan Board and its receivers had by prior act of Congress been specifically included in the Federal farm loan act. At any time before the expiration of two years after the enactment hereof receivers appointed by the said board may institute suits for the collection of the assessments heretofore ordered by the said board against shareholders of the banks in such receiverships."

Sec. 2. That the said Federal farm loan act, as amended, be amended further by changing to a comma the period at the end of the third paragraph of the said section 29 thereof (U. S. C., title 12, ch. 7, sec. 963) and adding the following clause: "including, in the case of a bank, the liquidation by such receiver through sale, collection, or otherwise of collateral deposited with any farm-loan registrar as security for farm-loan bonds of such bank."

Sec. 3. That the said Federal farm loan act, as amended, be amended further by inserting after section 17 (j) thereof (U. S. C., title 12, ch. 7, sec. 831) the following clause:

"(k) To prescribe all needful rules and regulations for the enforcement of the provisions of this act, including rules and regulations governing the mode and time of assessing and enforcing the liability of shareholders and the liquidation of banks and associations hereunder. The statement in this act of particular powers of the Federal Farm Loan Board shall not be deemed to exclude matters otherwise within the general powers conferred by this act upon the board."

NATURALIZATION OF CERTAIN ALIENS

The bill (H. R. 5627) relating to the naturalization of certain aliens was announced as next in order.

Mr. WALSH of Massachusetts. Let that go over.

Mr. REED. Mr. President, will not the Senator withhold his objection for a moment?

Mr. WALSH of Massachusetts. I will say to the Senator that I have no objection to the bill, but I intend to offer an amendment to it which I have not prepared.

Mr. REED. The bill seems to be a meritorious one. It applies to only one individual, a distinguished physician who served faithfully in our Army until after the armistice. Then he wanted to get back to his practice. He was entitled to an honorable discharge, but was mistakenly advised to withdraw his intention to become a citizen and get a discharge in that way. It was long after the armistice. Of course, no neutral slacker ought to get the benefit of such legislation as this; but this man served faithfully until after the armistice.

I hope the Senator will allow the bill to be considered and passed.

Mr. WALSH of Massachusetts. Do I understand the Senator to say that it applies to only one individual?

Mr. REED. Only one.

Mr. WALSH of Massachusetts. I should like to read the report on the bill and have the matter taken up later. I have no objection to the bill itself; I think it is meritorious; but I do want to offer an amendment to it.

Mr. REED. I suggest that there is a naturalization bill here to which the amendment could be offered.

Mr. WALSH of Massachusetts. Will the Senator point out the naturalization bill to which he refers?

Mr. REED. Yes; the naturalization bill is Order of Business 618, House bill 10960, which will be taken up in the morning hour to-morrow, I presume.

Mr. WALSH of Massachusetts. I think I must insist on my objection.

The PRESIDING OFFICER. Does the Senator withdraw his objection?

Mr. WALSH of Massachusetts. I do not.

The PRESIDING OFFICER. The bill will be passed over.

IMMIGRATION EMPLOYEES ABROAD

The Senate proceeded to consider the bill (H. R. 9803) to amend the fourth proviso to section 24 of the immigration act of 1917, as amended, which had been reported from the Committee on Immigration with amendments.

Mr. ROBINSON of Arkansas. Mr. President, these amendments to the immigration laws ought to be understood by the Senate. I think this bill had better go over.

Mr. REED. Mr. President, will the Senator permit me to make an explanation?

Mr. ROBINSON of Arkansas. We have only 15 minutes for the consideration of unobjected bills.

Mr. REED. It will not take three minutes.

Mr. ROBINSON of Arkansas. Very well; we might perhaps dispose of this bill to the exclusion of all other bills following it, but I will not object.

Mr. REED. This merely allows the payment of traveling expenses and the baggage expenses of the immigration employees who are ordered to duty in foreign lands. The same privilege to-day is enjoyed by the Army, the Navy, the Coast Guard, the Public Health Service, and every other Government agency called to travel abroad.

Mr. ROBINSON of Arkansas. It has no relation, then, to the admission of aliens?

Mr. REED. None whatever.

Mr. ROBINSON of Arkansas. I have no objection.

The amendments were, on page 1, line 7, after the words "Immigration Service," to insert the following words "and officers and employees of the Naturalization Bureau and Naturalization Service"; on page 2, line 10, after the words "remains of," insert the words "such officers"; on page 2, line 11, after the words "other employees," strike out the words "of the Immigration Service," so as to make the bill read:

Be it enacted, etc., That the fourth proviso to section 24 of the immigration act of 1917, as amended, is hereby amended to read as follows:

"Provided further, That when inspectors or other employees of the Immigration Service and officers and employees of the Naturalization Bureau and Naturalization Service are ordered to perform duty in a foreign country, or transferred from one station to another, in the United States or in a foreign country, they shall be allowed their traveling expenses in accordance with such regulations as the Secretary of Labor may deem advisable, and they may also be allowed, within the discretion and under written orders of the Secretary of Labor, the expenses incurred for the transfer of their wives and dependent minor children; their household effects and other personal property, not exceeding in all 5,000 pounds, including the expenses for packing, crating, freight, and drayage thereof. The expense of transporting the remains of such officers, inspectors, or other employees, who die while in, or in transit to, a foreign country in the discharge of their official duties, to their former homes in this country for interment, and the ordinary and necessary expenses of such interment and preparation for shipment at their posts of duty or at home, are hereby authorized to be paid on the written order of the Secretary of Labor."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SALARY OF GOVERNOR OF ALASKA

The bill (S. 4142) to fix the salary of the Governor of the Territory of Alaska was announced as next in order.

Mr. ROBINSON of Arkansas. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The Senate proceeded to consider the bill (H. R. 7926) to provide for terms of the United States District Court for the Eastern District of Pennsylvania to be held at Easton, Pa., which was read the third time and passed.

VIOLATION OF NARCOTIC LAWS

The Senate proceeded to consider the bill (H. R. 3395) authorizing the Commissioner of Prohibition to pay for information concerning violations of the narcotic laws of the United States, which had been reported from the Committee on the Judiciary with an amendment.

Mr. BORAH. Mr. President, I move to strike out the phrase "Commissioner of Prohibition" and insert in lieu thereof "Commissioner of Narcotics." This is purely a narcotic measure, not a prohibition measure.

Mr. TYDINGS. I object to the consideration of the bill.

The PRESIDING OFFICER. The bill will be passed over.

OFFENSES AGAINST PUBLIC POLICY IN THE DISTRICT OF COLUMBIA

The bill (S. 4555) to amend certain sections in the Code of Laws for the District of Columbia relating to offenses against public policy was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDING OFFICER. The bill will be passed over.

KETCHIKAN, ALASKA, BOND ISSUE

The Senate proceeded to consider the bill (H. R. 9707) to authorize the incorporated town of Ketchikan, Alaska, to issue bonds in any sum not to exceed \$1,000,000 for the purpose of acquiring public utility properties, and for other purposes, which had been reported from the Committee on Territories and Insular Affairs with amendments, on page 2, line 6 (sec. 1), strike out the word "fifty" and insert in lieu thereof the word "thirty"; on page 2, line 22 (sec. 3), to strike out the words "a majority" and insert in lieu thereof the words "not less than 65 per cent"; and on page 3, line 7 (sec. 4), strike out the word "fifty" and insert in lieu thereof the word "thirty," so as to read:

Be it enacted, etc., That the incorporated town of Ketchikan, Alaska, is hereby authorized and empowered to issue its bonds in any sum not to exceed \$1,000,000 for the purpose of acquiring for the said town of Ketchikan the public utility properties of the Citizens Light, Power & Water Co., and to finance and operate the same by the municipality of Ketchikan: *Provided, however,* That no issue of bonds or other instruments of any such indebtedness shall be made, other than such bonds or other instruments of indebtedness in serial form maturing in substantially equal annual installments, the first installment to mature not later than 5 years from the date of the issue of such series and the last installment not later than 30 years from the date of such issue.

SEC. 2. That before said bonds shall be issued a special election shall be ordered by the common council of the town of Ketchikan, at which election the question of whether such bonds shall be issued shall be submitted to the qualified electors of the said town of Ketchikan whose names appear on the last assessment roll of said town for municipal taxation. Thirty days' notice of such election shall be given by publication thereof in a newspaper printed and published and of general circulation in said town before the day fixed for such election.

SEC. 3. That the registration of such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as near as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued only upon condition that not less than 65 per cent of the votes cast at such election in said town shall be in favor of issuing said bonds.

SEC. 4. That the bonds above specified, when authorized to be issued as hereinbefore provided, shall bear interest, at a rate to be fixed by the common council of Ketchikan, not to exceed 6 per cent per annum, payable semiannually and shall not be sold for less than their par value, with accrued interest, and shall be in denominations not exceeding \$1,000 each, the principal to be due in 30 years from date thereof: *Provided, however,* That the common council of the said town of Ketchikan may reserve the right to pay off such bonds in their numerical order, at the rate of not less than \$22,000 thereof per annum from and after the expiration of five years from their date. Principal and interest shall be payable in lawful money of the United States of America at the office of the town treasurer or such place as may be designated by the common council of the town of Ketchikan, the place of payment to be mentioned in the bonds: *And provided further,* That each and every such bond shall have the written signature of the mayor and clerk of said town of Ketchikan and also bear the seal of said town.

SEC. 5. That no part of the funds arising from the sale of said bonds shall be used for any purpose other than that specified in this act. Said bonds shall be sold only in such amounts as the common council shall direct, and the proceeds thereof shall be disbursed for the purposes here-

inbefore mentioned and under the order and direction of said common council from time to time as the same may be required for said purposes.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

GOVERNMENT OF HAWAII

The Senate proceeded to consider the bill (H. R. 10657) to amend section 26 of the act entitled "An act to provide a government of the Territory of Hawaii," approved April 30, 1900, as amended.

Mr. ROBINSON of Arkansas. Mr. President, is this a substantial amendment to the existing law relating to the government of the Territory of Hawaii?

Mr. BINGHAM. No, Mr. President; it increases the amount which we contribute to the legislative expenses to a sum sufficient to pay them. The addition is about \$6,000. At the present time we pay and have for a number of years paid \$30,000, but the governor has pointed out that that is not sufficient to pay the actual expenses of the legislature.

The bill was read the third time and passed.

FEMALE SUFFRAGE IN HAWAII

The Senate proceeded to consider the bill (H. R. 11051) to amend section 60 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

Mr. ROBINSON of Arkansas. Mr. President, what is the nature of this amendment of the act?

Mr. BINGHAM. It is a very curious amendment. The organic act provided that the voters must be adult males. Then we got the nineteenth amendment and a bill was passed which removed the word "male" and made it so that both males and females could vote. Then came the code of laws of the United States, which did away with certain acts which had been passed, and in the appendix to the code is the statement that it is doubtful whether suffrage for both males and females is legal in Hawaii now. This is merely to clarify the situation so that there will be no doubt about it, in view of the fact that the code says that possibly the repeal of all laws except those in the code may have had that effect.

The bill was read the third time and passed.

MINNESOTA RIVER BRIDGE, MINNESOTA

The Senate proceeded to consider the bill (H. R. 9989) granting the consent of Congress to the State of Minnesota, Le Sueur County and Sibley County, in the State of Minnesota, to construct, maintain, and operate a bridge across the Minnesota River at or near Henderson, Minn., which was read the third time and passed.

ELLA H. SMITH

The Senate proceeded to consider the bill (S. 397) for the relief of Ella H. Smith, which had been reported from the Committee on Claims with an amendment, on page 1, line 4, after the word "pay," to insert the words "out of any money in the Treasury not otherwise appropriated," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ella H. Smith, postmistress at Wynne, Ark., an office of the second class, the sum of \$3,700, which amount was lost by burglary without fault of hers, and which she repaid to the Government.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATHERINE ANDERSON

The Senate proceeded to consider the bill (H. R. 2810) for the relief of Katherine Anderson, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$4,000" and insert in lieu thereof "\$2,327.87," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Katherine Anderson, the sum of \$2,327.87, in full settlement of her claim against the Government of the United States for injuries sustained and for reimbursement of expenses incurred as a result of being negligently shot and seriously injured on November 1, 1925, by a regularly enlisted soldier of the United States Army then and there on duty as a sentry at Fort Snelling, Minn.

SEC. 2. That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any

agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SAMUEL F. TAIT

The Senate proceeded to consider the bill (H. R. 2983) for the relief of Samuel F. Tait, which was read the third time and passed.

C. F. BEACH

The Senate proceeded to consider the bill (H. R. 1092) for the relief of C. F. Beach, which was read the third time and passed.

GEORGIA RAILWAY CO.

The Senate proceeded to consider the bill (H. R. 6117) for the relief of the Central of Georgia Railway Co., which was read the third time and passed.

MARIJUNE CRON

The Senate proceeded to consider the bill (H. R. 478) for the relief of Marijune Cron, which was read the third time and passed.

FRAUDULENT USE OF THE MAILS

The Senate proceeded to consider the bill (S. 1446) to amend section 213, act of March 4, 1909 (Criminal Code, title 18, sec. 336, U. S. C.), affixing penalties for use of mails in connection with fraudulent devices and lottery paraphernalia, which had been reported from the Committee on Post Offices and Post Roads with amendments, on page 2, line 4, strike out the word "unfair"; on page 2, line 10, after the word "thing," insert the words "or component parts thereof"; on page 2, line 13, strike out the word "unfair"; on page 3, line 3, strike out the word "unfair," so as to read:

Be it enacted, etc., That section 213, act of March 4, 1909 (Criminal Code, title 18, sec. 336, U. S. C.), be amended so as to read as follows:

"SEC. 213. No letter, package, postal card, or circular concerning any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or concerning any article, device, or thing so constructed as to have for its principal and primary use the risk of money or property by lot or chance, or concerning any dishonest or cheating gambling article, device, or thing; and no lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance; and no article, device, or thing or component parts thereof, so constructed as to have for its principal and primary use the risk of money or property by lot or chance, or matter relating thereto; and no dishonest or cheating gambling article, device, or thing; and no check, draft, bill, money, postal note, or money order for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme; and no newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes, or containing any advertisement of any article, device, or thing so constructed as to have for its principal and primary use the risk of money or property by lot or chance, or containing any advertisement of any dishonest or cheating gambling article, device, or thing, shall be deposited in or carried by the mails of the United States or be delivered by any postmaster or letter carrier. Whoever shall knowingly deposit or cause to be deposited, or shall knowingly send or cause to be sent, anything to be conveyed or delivered by mail in violation of the provisions of this section, or shall knowingly deliver or cause to be delivered by mail anything herein forbidden to be carried by mail, shall be fined not more than \$1,000 or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years. Any person violating any provision of this section may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SHEPPARD. Mr. President, I ask that the report on Senate bill 1446 be printed in connection with the action of the Senate.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[S. Rept. 950, 71st Cong., 2d sess.]

FIXING PENALTIES FOR USE OF MAILS IN CONNECTION WITH FRAUDULENT DEVICES, ETC.

(To accompany S. 1446)

The Committee on Post Offices and Post Roads, to whom was referred the bill (S. 1446) to amend section 213, act of March 4, 1909 (Criminal Code, title 18, sec. 336, U. S. C.), affixing penalties for use of mails in connection with fraudulent devices and lottery paraphernalia, having considered the same, report favorably thereon with amendments and recommend that as amended the bill do pass.

On page 2, line 3, strike out the word "unfair."

On page 2, line 9, after the word "thing" insert the words "or component parts thereof."

On page 2, line 12, strike out the word "unfair."

On page 3, line 1, strike out the word "unfair."

As to these amendments, the committee thought best to strike out the word "unfair," believing the term so general that it might be oppressively interpreted.

This measure, which is similar to one which received the approval of the Senate during a previous Congress, would amend existing law so as to bar from the mails lottery paraphernalia and cheating gambling devices, along with the other lottery and fraud matter which now comes under the ban of the statute.

The changes sought to be made in section 213 of the act of March 4, 1909, are given in italics below. As amended by the present bill, that section would read as follows:

"SEC. 213. No letter, package, postal card, or circular concerning any lottery, gift enterprise, or [similar] scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or concerning any article, device, or thing so constructed as to have for its principal and primary use the risk of money or property by lot or chance, or concerning any dishonest, or cheating gambling article, device, or thing; and no lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or [similar] scheme of any kind offering prizes dependent in whole or in part upon lot or chance; and no article, device, or thing, or component parts thereof, so constructed as to have for its principal and primary use the risk of money or property by lot or chance, or matter relating thereto; and no dishonest, or cheating gambling article, device, or thing; and no check, draft, bill money, postal note, or money order for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme; and no newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes, or containing any advertisement of any article, device, or thing so constructed as to have for its principal and primary use the risk of money or property by lot or chance, or containing any advertisement of any dishonest, or cheating gambling article, device, or thing, shall be deposited in or carried by the mails of the United States or be delivered by any postmaster or letter carrier. Whoever shall knowingly deposit or cause to be deposited, or shall knowingly send or cause to be sent, anything to be conveyed or delivered by mail in violation of the provisions of this section or shall knowingly deliver or cause to be delivered by mail anything herein forbidden to be carried by mail, shall be fined not more than \$1,000 or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years. Any person violating any provision of this section may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed."

The Postmaster General has made a favorable report on the bill in a letter reading as follows:

POST OFFICE DEPARTMENT,
Washington, D. C., June 19, 1929.

HON. LAWRENCE C. PHIPPS,

Chairman Committee on Post Offices and Post Roads,

United States Senate.

MY DEAR SENATOR PHIPPS: With your letter of the 13th instant you transmit a copy of the bill (S. 1446) to amend section 213 of the act of March 4, 1909 (18 U. S. C. 336), and request my views thereon.

This bill would amend the present statute, which declares unmailable all matter relating to lottery enterprises by also making unmailable any

article, device, or thing designed for the conduct of a lottery, and any unfair, dishonest, or cheating gambling article, device, or thing, or matter relating thereto.

Proposed legislation similar to this has for a number of years past been submitted to this department for its views by committees of Congress, and favorable reports thereon have been made for the reason that the experience of the department shows that it would be to the interest of the public to have legislation barring lottery paraphernalia and cheating gambling devices from the mails, along with the other lottery and fraud matter that comes under the ban of existing law.

I therefore advise that the proposed legislation has the approval of this department.

The bill as drawn appears to be in proper form for accomplishing the purposes desired, except that the phrase reading "or matter relating thereto," appearing in line 11 of page 2, is surplusage and should be omitted.

Sincerely yours,

WALTER F. BROWN,
Postmaster General.

In deference to the changes made by the committee, Mr. Harold A. Davis, executive assistant to the Postmaster General, wrote Senator SHEPPARD, the author of the bill, by direction of the Postmaster General, as follows:

POST OFFICE DEPARTMENT,
Washington, D. C., May 27, 1930.

HON. MORRIS SHEPPARD,

United States Senate.

MY DEAR SENATOR SHEPPARD: Referring to your request at the hearing yesterday on bill S. 1446, to amend section 213 of the act of March 4, 1909 (18 U. S. C. 336), I beg to advise you that on June 19, 1929, the Postmaster General advised the chairman of the Senate Post Offices and Post Roads Committee that this proposed legislation has the approval of this department. I am inclosing a copy of the Postmaster General's letter in which is set forth the reason for this proposed legislation.

The addition in line 9, page 2, of the bill, after the word "thing," of the words "or component parts thereof," and the elimination of the word "unfair" in line 1, page 3, are changes acceptable to this department.

By direction of the Postmaster General.

Yours very truly,

HAROLD A. DAVIS,
Executive Assistant to the Postmaster General.

At the hearing on this measure which was not taken down by a stenographer a representative of the Post Office Department was present, and gave expression to the concurrence of the department.

Mr. H. N. Pringle, assistant superintendent of the International Reform Federation, was also present at the hearing and spoke in behalf of the bill. He presented many interesting and informative facts in connection with the subject matter of the measure, and it is deemed helpful now to present a summary of Mr. Pringle's remarks prepared by him after giving his testimony.

Summary of Mr. Pringle's remarks follows:

"This bill, S. 1446, to amend section 213, act of March 4, 1909 (Criminal Code, title 18, sec. 336, U. S. C.), affixing penalties for use of mails in connection with gambling devices and lottery paraphernalia, will lift the standard of United States law toward the moral level of the statutes of the various States of the Union, all of which have outlawed gambling machines, implements, and devices. The bill does not apply to ordinary vending machines for stamps, confections, toilet articles, etc., which return an equal value for each play, and therefore do not involve the element of gambling.

"As assistant superintendent of the International Reform Federation, 206 Pennsylvania Avenue SE., Washington, D. C., and in charge of its law-enforcement activities during the past 18 years, I have observed throughout the United States that the greatest obstacle to the enforcement of State antigambling laws by the duly constituted officials is the ceaseless campaign of the great manufacturers of gambling implements in Chicago and other cities, whose letters and alluring catalogues induce shopkeepers, billiard-room owners, hotel men, and others to install various gambling implements as great money makers.

"Probably 95 per cent of the people operating gambling devices in our country have been induced to install these implements and violate the laws by the manufacturers' advertising and their traveling agents, or by local jobbers of confectionery and tobacco, whom these manufacturers have induced to combine crime and merchandising on a large scale. Agents or patrons of these great manufacturers of gambling implements often arrange with small groups of local gamblers to control the gambling of a city, through single ownership of scores or hundreds of slot gambling machines, leased to the operators on the basis of a 50-50 division of the 'take.' Almost invariably the controlling group try to corrupt some of the police for protection of the devices, and to exclude other racketeers by prompt seizure of their gambling devices.

"If local officials are deaf to such proposals, the controlling group petitions a judge to issue an injunction restraining the officials from interfering with their alleged vending machines. Of course, the judges hear only one side of the case, when they grant temporary injunctions, nearly all of which are dismissed a few weeks or months later.

"I submit a partial list of 22 police departments thus enjoined and you will notice that the slot gambling machine interests secured injunctions against six Connecticut police departments in 1930. Some of the greatest political scandals in the United States (Chicago, Detroit, Pittsburgh, Scranton, and Hazleton) have originated indirectly by the financial inducements of these agents and distributors of gambling devices.

City	Year	Petitioner
Atlantic City	1924	Albert C. Glass, distributor.
Baltimore	1928	Frank Cate, distributor.
Bayonne	1929	Bergen Point Gambling Concession.
Bridgeport	1930	Eastern Mint Vending Machine Co.
Brooklyn	1924	Triangle Novelty Co.
Chicago	1916	Alma Manufacturing Co.
Do	1927	United States Vending Co.
Cleveland	1928	Clarence McLean.
Do	1929	Do.
Manchester, Conn.	1930	Distributor.
New Britain	1930	Royal Mint Vending Machine Co.
New Haven	1930	Eastern Mint Vending Machine Co.
New London	1930	Distributor.
New Orleans	1927	Mr. Ashcraft.
New York	1923	Triangle Novelty Co.
Do	1925	Tepee Democratic Club.
Do	1925	Steamer Club.
Norfolk	1930	Baltimore Resident.
Norwalk	1930	Distributor.
St. Louis	1930	Central Vending Machine Co.
Stamford	1930	Eastern Mint Vending Machine Co.
Washington	1929	Skiffington Vending Machine Co.

"The British Premier, Ramsay MacDonald, in a pamphlet on gambling, says that the Government ought to place various checks on this growing evil of gambling and that an effective restraint is the exclusion of this business from the mails. Our Federal Government has gone only so far as to close the mails and interstate commerce to lotteries then in operation; but, every week, tons of lottery material for future lotteries, such as baseball pools, clearing-house pools, and other drawing schemes, use the mails and interstate commerce. I show the Post Office and Post Roads Committee a photograph of 10 tons of lottery materials, ready for the parcel post and express, and in packages varying from a pound to the size of a tea chest, which were seized at one establishment, with the confiscation of \$50,000 worth of the most modern printing presses in the adjoining room.

"If it pleases the Congress to enact this measure, in harmony with all existing State legislation, it will greatly diminish the difficulties of enforcing State laws. No longer will mailed inducements and secret agents cause installations of gambling implements twice as fast as city and county officials can seize them and deal with the offenders. I also show the committee 15 photographs of huge seizures and destruction of gambling implements in as many different States and cities, where public officials in good faith are endeavoring to deal with this problem of gambling devices, which corrupt the young and partially thwart the purpose of the school, church, and home. After the Federal law against the Louisiana lottery, 18 States enacted constitutional amendments forbidding lotteries, and nearly all States passed statutory restrictions on the same, showing the profound influence of wholesome legislation by our Federal Government.

"I have here an interesting package of 11 catalogues marked 'Private,' 'Confidential,' 'For the trade only,' etc., which offer cheating devices such as marked cards, loaded dice, 10 kinds of hold-outs, shiners, secret retards to wheels, plugs, and knee springs. Swindling mechanisms are provided for nearly every gambling device. One catalogue reads: 'These special dice are filled in such a manner as to make the numbers 4, 6, 8, and 10 come up more often than they ordinarily would. The dice sound and roll natural and will give the shooter a small percentage when used on a hard, smooth surface.' Another catalogue says: 'This line work, placed in the upper right corner, reading ace to deuce, is a popular number easily visible to the initiated, but is mighty hard to be detected.' Gambling murders in great numbers are the direct and inevitable results of these gambling frauds. This proposed legislation was voted by the Senate of the Seventieth Congress and by the House of two previous Congresses. It has been repeatedly urged by the Post Office Department and printed with commendation in several annual reports of the Postmaster General. We have not sought the opinions of the police departments of the United States on this bill, but I subjoin a letter from a single department.

DEPARTMENT OF POLICE,
CITY OF LOS ANGELES, CALIF.,

February 28, 1930.

DEAR SIR: In reply to your letter of the 20th instant, regarding bill known as S. 1446, an act to prohibit the use of the United States mails in connection with any gambling paraphernalia, please be ad-

vised that this department is in favor of such an act being passed by our Representative in Congress, and we also wish to go on record as saying that if the source of supply of all gambling paraphernalia can be erased by the enactment of law, this is the natural and lawful thing for us to do to prohibit gambling within the various States throughout the Union. You are privileged to use this letter for whatever purpose it may serve in bringing about any reform to the best interests of our people.

Very respectfully,

R. E. STECKEL,
Chief of Police.

By J. FINLINSON,
Assistant Chief of Police.

"The financial magnitude of three items coming under this bill, punch boards, slot-gambling machines, and pool lotteries on baseball, stocks, and clearings, aggregate about \$375,000,000 a year in our country. The manufacturers of gambling devices (four-fifths of this business in Chicago) will tell you how their gambling machines do not cheat the players, or that each one has a built-in or attached vender for gum or mints and therefore it is not a gambling machine. When a \$15 vender is attached to a \$100 slot-gambling machine, what does common sense say as to the real intent of the manufacturer, who claims that the machine is made for vending?

"In the case of *Moberly v. Deskin* (169 Mo. App. 627, at p. 678) the court, in speaking of a pretended legitimate slot-machine device, said: 'In no field of reprehensible endeavor has the ingenuity of man been more exerted than in the invention of devices to comply with the letter but to do violence to the spirit and thwart the beneficent objects and purposes of the law designed to suppress the vice of gambling. Be it said to the credit of the expounders of the law that such fruits of inventive genius have been allowed by the courts to accomplish no greater result than that of demonstrating the inaccuracy and insufficiency of some of the old definitions of gambling that were made before the advent of the era of greatly expanded, diversified, and cunning mechanical invention.' Other cases of the same class are the following:

- "Alabama, *Cagle v. State* (1922) (18 Ala. App. 553, 93 So. 206).¹
- "Arkansas, *Sheets v. State* (1922) (156 Ark. 255, 245 S. W. 815).¹
- "Georgia, *Brockett v. State* (1924) (Ga. App., 125 S. E. 513).¹
- "Indiana, *Ferguson v. State* (1912) (178 Ind. 568, 42 L. R. A. (n. s.) 720, 99 N. E. 806, Ann. Cas. 1915C 172).¹
- "Kentucky, *Welch v. Com.* (1918) (179 Ky. 125 L. R. A. 1918C, 651, 200 S. W. 371).¹
- "Louisiana, *Tonahill v. Molony* (1924) (156 La. 753, 101 So. 130).¹
- "Maine, *Lang v. Merwin* (1905) (99 Me. 486).¹
- "Maine, *State v. Googin* (1918) (117 Me. 102, 102 Atl. 970).
- "Maryland, *Gaither v. Cate* (1929) (Md. App., 144 Atlantic 238).¹
- "New Jersey, *Pure Mint Co. v. Labarre* (1924) (N. J. Eq., 126 Atl. 29).¹
- "New York, *People ex rel. Verchereau v. Jenkins* (1912) (163 App. Div. 512, 138 N. Y. Supp. 449).¹
- "North Carolina, *State v. Lipkin* (169 N. C. 265).¹
- "Rhode Island, *State v. Certain Gambling Instruments of Samuel O. Paul* (128 Atl. 12).¹
- "South Carolina, *Griste v. Burch* (1919) (112 S. C. 369, 99 S. E. 703).¹
- "Tennessee, *State v. McTeer* (1914) (129 Tenn. 535, 167 S. W. 121).¹

"All these cases and the Missouri case, cited above, are State appellate court cases.

"At a recent court hearing in Washington, D. C., when a temporary injunction against city officials interfering with a distributor's slot gambling machines was dismissed, a representative of the Chesapeake & Potomac Telephone Co. testified that during eight months 1,318 slot-machine slugs were removed from a single pay telephone, representing a loss of \$65.90. A larger item of loss by the gambling devices affected by this bill is juvenile gambling, with the following accompaniments: (1) Stealing money from home to play the machines; (2) diverting money for grocery purchases and pretending that it was lost; (3) going hungry at school and using the luncheon allowance to play the machines; (4) joining boy gangs of robbers to get money for gambling; (5) snatching purses for the same purpose."

MECHANICS' HELPERS IN MOTOR-VEHICLE SERVICE

The Senate proceeded to consider the bill (H. R. 9227) to establish additional salary grades for mechanics' helpers in the motor-vehicle service, which was read the third time and passed.

JAMES M'CANN

The Senate proceeded to consider the bill (H. R. 609) authorizing the Secretary of the Treasury to pay certain moneys to James McCann, which had been reported from the Committee on Claims with amendments, on page 1, line 6, to strike out "\$255" and to insert "\$150"; on page 2, line 2, after the numerals "1920," to strike out the semicolon and the following:

Value of horse, \$125; for injuries sustained by Thomas Gorman and paid for by James McCann, \$25; for horse hire due to the death

¹ Indicates a "vending" machine case.

of the aforesaid horse, \$80; for legal expenses paid to Julius Applebaum, \$25; total, \$255.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$150 as full compensation to James McCann, of 1360 DeKalb Avenue, Brooklyn, N. Y., for the death of his horse, led by Thomas Gorman along Broadway, Brooklyn, N. Y., and struck by mail truck No. 384, driven by Paul V. Mundy, of the mail department, post office, Brooklyn, N. Y., on January 27, 1920.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

NARCOTIC LAW AMENDMENT

Mr. SMOOT. Mr. President, I report favorably from the Committee on Finance the joint resolution (H. J. Res. 367) which was objected to last evening by the Senator from Washington [Mr. JONES], and I ask unanimous consent that it be considered at this time. In copying the act the word "specific" was used instead of the word "specified." That is all there is to the measure.

Mr. DILL. Mr. President, I did not hear what the Senator said. What would be the effect of this joint resolution?

Mr. SMOOT. In copying the original act the word "specific" was put in, and it should have been "specified." This is simply to change the words.

The PRESIDING OFFICER. Is there objection to the consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which was read the third time and passed, as follows:

Resolved, etc., That subsection (b) of section 2 of the act entitled "An act to create in the Treasury Department a Bureau of Narcotics, and for other purposes," approved June 14, 1930, is amended by striking out the word "specific" and inserting in lieu thereof the word "specified."

SEC. 2. Section 9 of such act of June 14, 1930, is amended to read as follows:

"SEC. 9. This act shall take effect on July 1, 1930."

I. B. KRINSKY ESTATE (INC.) AND OTHERS

The Senate proceeded to consider the bill (H. R. 524) for the relief of the I. B. Krinsky Estate (Inc.) and the Fidelity & Deposit Co. of Maryland, which was read the third time and passed.

R. L. WILSON

The bill (H. R. 845) for the relief of R. L. Wilson was announced as next in order.

Mr. REED. I ask that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

WILLIAM H. JOHNS

The Senate proceeded to consider the bill (H. R. 910) for the relief of William H. Johns, which was read the third time and passed.

S. A. JONES

The Senate proceeded to consider the bill (H. R. 1964) for the relief of S. A. Jones, which was read the third time and passed.

EARL D. BARKLY

The Senate proceeded to consider the bill (H. R. 2465) for the relief of Earl D. Barkly, which was read the third time and passed.

LOWELL OAKLAND CO.

The Senate proceeded to consider the bill (H. R. 2849) for the relief of the Lowell Oakland Co., which was read the third time and passed.

GUSTAV J. BRAUN

The Senate proceeded to consider the bill (H. R. 3422) for the relief of Gustav J. Braun, which was read the third time and passed.

MARGARET STEPP BOWN

The Senate proceeded to consider the bill (H. R. 7661) for the relief of Margaret Stepp Bown, which was read the third time and passed.

ADDIE BELLE SMITH

The Senate proceeded to consider the bill (H. R. 2075) for the relief of Addie Belle Smith, which was read the third time and passed.

B. C. GLOVER

The Senate proceeded to consider the bill (H. R. 6665) for the relief of B. C. Glover, which was read the third time and passed.

Mr. ROBINSON of Arkansas. Mr. President, in connection with the bill, I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[S. Rept. No. 952, 71st Cong., 2d sess.]

B. C. GLOVER

(To accompany H. R. 6665)

The Committee on Claims, to whom was referred the bill (H. R. 6665) for the relief of B. C. Glover, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The facts are fully set forth in House Report No. 1103, Seventy-first Congress, second session, which is appended hereto and made a part of this report.

[House Report No. 1103, Seventy-first Congress, second session]

The Committee on Claims, to whom was referred the bill (H. R. 6665) for the relief of B. C. Glover, having considered the same, report thereon with a recommendation that it do pass with the following amendments:

Amendment No. 1: In line 6 strike out "\$5,000" and insert in lieu thereof "\$2,500."

Amendment No. 2: Add a new section, as follows:

"SEC. 2. That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

STATEMENT OF FACTS

During the World War period B. C. Glover, who was then constable and deputy sheriff at Stuttgart, Ark., served a large number of papers for the Stuttgart local draft board. On the 23d day of May, 1917, while in pursuit of one James Livingston, Mr. Glover received permanent injuries, due to a runaway accident, while following said James Livingston near the intersection of First and Main Streets in the city of Stuttgart. He was knocked down and severely injured. Said James Livingston was one of the first persons to go to his rescue, and Mr. Glover, notwithstanding the injury, served his summons on said Livingston while lying on the street. These injuries resulted in extensive hospital and medical treatment, and the amputation of Mr. Glover's left leg, as shown in the affidavit of Dr. M. C. John, which is incorporated in this report. There is also incorporated in the report affidavit of William Wood, secretary of the draft board for Stuttgart; affidavit of J. R. Jeffries, city marshal of Stuttgart at the time of the accident; and affidavit of B. C. Glover. In addition to above-mentioned affidavits, the report from the War Department is made a part of this report, as follows:

WAR DEPARTMENT,
Washington, February 13, 1930.

The CHAIRMAN COMMITTEE ON CLAIMS,

House of Representatives.

DEAR MR. CHAIRMAN: Receipt is acknowledged of your request for all papers, or copies thereof, on file in the department relating to H. R. 6665, Seventy-first Congress, second session, for the relief of B. C. Glover, and for my opinion as to its merits.

Nothing has been found of record relative to the injuries claimed to have been sustained by B. C. Glover in 1917, while engaged in serving summonses for the local draft board for Stuttgart, Ark., nor has anything been found relative to any services performed by him for that local board.

There is inclosed herewith a photostatic copy of a carbon copy of a letter addressed to Mr. R. H. Elliott, sheriff, De Witt, Ark., from the chairman local board for Stuttgart, Ark., in which the name B. H. Glover was typed with those of three others at the bottom of the letter.

Inasmuch as this man was not a member of the military forces of the United States, nor at any time under the control of the military authorities, the War Department is constrained to withhold comment on the merits of the proposed legislation.

Sincerely yours,

PATRICK J. HURLEY,
Secretary of War.

Mr. R. H. ELLIOTT,
Sheriff, De Witt, Ark.

DEAR SIR: You are directed to furnish this office with a list of all registrants and their address, also the name and address of their local board, who are engaged in nonessential occupations in De Witt or any other part of the county that you may be in.

This list to be in our possession three days from receipt of this letter, and to be followed once each week with a report of any other registrant you may learn about.

You are directed to communicate this information to your deputies in order that this office may receive this information regularly each week.

Yours very truly,

_____, *Chairman.*

AFFIDAVIT

STATE OF ARKANSAS,

County of Arkansas, ss:

Personally appeared before the undersigned, notary public, duly commissioned and acting, for and within the county and State aforesaid, one J. R. Jeffries, who after being duly sworn states on oath as follows, to wit:

Affiant states that he is personally acquainted with B. C. Glover and has known him for a period of more than 13 years last past; that in May, 1917, affiant was city marshal of the city of Stuttgart; that on or about the 23d day of May, 1917, affiant was near the intersection of First and Main Streets in the city of Stuttgart about noon; that B. C. Glover came down Main Street and started across Main Street for the apparent purpose of going east on First Street; that at just this time a runaway horse and wagon came west on First Street and turned the corner at First Street into Main. As the runaway turned the corner a wheel came off the wagon and struck Mr. Glover on the left knee, knocking him down. I ran over to him and picked him up, and at this time a negro by the name of James Livingston came up and helped me pick Mr. Glover up. As the negro came up, Mr. Glover, before he was picked up, served the summons that he had on the negro, summoning him to appear before the draft board at once.

I have known Mr. Glover, as stated above, and know him to be a man of high moral character, splendid citizen in the community; know that he spent many months in the hospital as a result of the injury described above, with the ultimate loss of his left leg.

Further affiant saith not.

J. R. JEFFRIES.

Subscribed and sworn to before me this 24th day of May, 1929.

[SEAL.]

MAUD WALTERS, *Notary Public.*

My commission expires January 14, 1933.

AFFIDAVIT

STATE OF ARKANSAS,

County of Arkansas, ss:

Personally appeared before the undersigned, notary public duly commissioned and acting, for and within the county and State aforesaid, one William Wood, who after being duly sworn states on oath as follows, to wit:

That during the war affiant was a member of the draft board in and for Stuttgart, Arkansas County, Ark., and was chief clerk of the board; that at this time B. C. Glover was personally known to this affiant; that affiant knew and knows that the said B. C. Glover was constable and deputy sheriff and knows of his own knowledge that B. C. Glover served a large proportion if not most of the papers that were served by the local draft board.

That on or about the 23d day of May, 1917, B. C. Glover was instructed by the local draft board to summons four negroes, and the summons for these negroes were delivered by the board to Mr. Glover and he was instructed to serve them and deliver the negroes immediately to the board.

Affiant did not see the accident which happened to Mr. Glover, but knows that Mr. Glover was injured on the day he was serving the papers above mentioned and that Mr. Glover was in the hospital for several months and lost his left limb as a result of the accident. Affiant further knows of his own knowledge that Mr. Glover is a man of high standing in the community, splendid moral character, and a good citizen; was such at the time the accident happened and has been such ever since.

Further affiant saith not.

WM. WOOD.

Subscribed and sworn to before me this 24th day of May, 1929.

[SEAL.]

MAUD WALTERS,
Notary Public.

My commission expires January 14, 1933.

AFFIDAVIT

STATE OF ARKANSAS,

County of Arkansas, ss:

Personally appeared before the undersigned notary public, duly commissioned and acting for and within the county and State aforesaid, one Dr. M. C. John, who, after being duly sworn, states on oath as follows, to wit:

Affiant states that he is a regularly licensed and practicing physician and has been such for more than 26 years last past. That on or about

the 23d day of May, 1917, he was called to wait on B. C. Glover at Glover's home; that Glover was suffering from an injury to his left knee, caused by his knee being struck by some instrument, which Glover stated was a wheel that had come off of a runaway wagon. I continued to treat Mr. Glover, and when it became necessary for his leg to be amputated as a result of his accident, affiant took Mr. Glover to Memphis, to the St. Joseph Hospital, and was present when the operation was performed removing Mr. Glover's limb, and the subsequent operations that were necessary before the stub was healed up.

Affiant further states of his own knowledge that he knows Mr. Glover was in the hospital for approximately two years; that while at short intervals Mr. Glover was out of the hospital it was necessary for him to return in a very short time; that the expense to Mr. Glover amounted to several thousand dollars, and the pain and suffering was beyond computation.

Further affiant saith not.

M. C. JOHN, M. D.

Subscribed and sworn to before me this 24th day of May, 1929.

[SEAL.]

MAUD WALTERS, *Notary Public.*

My commission expires January 14, 1933.

AFFIDAVIT

STATE OF ARKANSAS,

County of Arkansas, ss:

Personally appeared before the undersigned, notary public, duly commissioned and acting for and within the county and State aforesaid, one B. C. Glover, who after being duly sworn states on oath as follows, to wit:

That he is a resident of Stuttgart, northern district, Arkansas County, Ark., and has been such for more than 21 years last past; that he has been constable of Gum Pond Township, northern district, Arkansas County, Ark., since January 1, 1914, up to and including the date of making of this affidavit.

That during the war, 1917 and 1918, he was called upon by the local board at Stuttgart to summons and other process for the said board on a very large percentage of all the work that the board required of peace officers.

That on or about the 23d day of May, 1917, the local draft board, of which William Wood was a member, instructed and ordered this affiant to summons four negroes immediately for the purpose of being drafted into the Army; that this affiant in carrying out those instructions took the papers delivered to him and immediately proceeded to serve them upon the negroes, and in doing so it was necessary for him to cross Main Street in the city of Stuttgart, near its intersection with Second Street, and while in the act of crossing the street a team ran away and turned the corner suddenly, causing a wheel to fly off the wagon, and the wheel struck affiant in the left knee, causing him to be knocked down; that it so happened that one of the negroes who this affiant was seeking was one who came to his help, lifting him up, it being impossible for affiant to arise, and while lying on the ground this affiant served the summons on the negro, and that this service completed service on the four negroes that the draft board had required.

That affiant was taken to his home and was placed under the care of the local physician, Dr. M. C. John; and the said physician, realizing the gravity of the injury of this affiant, advised affiant to go to Memphis and enter the clinic of Dr. Willis C. Campbell, so that nothing would be undone to save the left limb of affiant.

Affiant followed this advice, and placed himself under the care of Dr. Willis C. Campbell in his clinic, and for a period of almost two years was under treatment in the said clinic; that during this time two operations were performed in an attempt to save affiant's limb, which proved to be impossible, and the third operation, which removed the limb above the knee, was made.

That affiant at the time of the happening of the accident had about \$7,000 in money and other property; that all of this money and most of his property was used in the necessary expenses of affiant's illness, with the result that when the limb was removed and the stump finally healed affiant was wholly without means or capital.

The four negroes summoned by this affiant are as follows: Isiah Smith, Elisha London, James Livingston, and Sol Fain.

Further affiant saith not.

B. C. GLOVER.

Subscribed and sworn to before me this 6th day of June, 1929.

[SEAL.]

MAUD WALTERS,
Notary Public.

My commission expires January 14, 1933.

NATIONAL MUSEUM OF ENGINEERING AND INDUSTRY

The bill (S. 454) to establish a commission to be known as a commission on a national museum of engineering and industry was announced as next in order.

Mr. OVERMAN. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. COPELAND subsequently said: Mr. President, the Senator from North Carolina is willing to withdraw his objection to

the consideration of Senate bill 454, and I hope the bill may be passed. We had extensive hearings on the bill, it has been approved by the committee, and I hope it may be passed.

THE PRESIDING OFFICER. The Senator from New York asks unanimous consent to return to the consideration of Senate bill 454. Is there objection?

Mr. JONES. Mr. President, what is the nature of this commission? What does the bill provide?

Mr. COPELAND. Mr. President, we had hearings, and it seemed proper for us to give consideration to the question of a national museum of engineering and industry in this country, but the committee felt that before that was done there should be an investigation made, and this provides for the appointment of a commission of experts in museum work, in order that this investigation may be had. The bill carries an authorization of an appropriation of \$75,000, which, of course, will go before the Committee on Appropriations in due time for consideration.

Mr. JONES. How many members will compose the commission?

Mr. COPELAND. The commission as provided for will consist of an engineer, an industrial chemist, a manufacturer, three persons experienced in transportation, an educator, a representative of labor, and a museum expert.

Mr. JONES. I think this is a pretty important matter.

Mr. COPELAND. It is an important matter, but I hope the Senator will not object to it.

Mr. JONES. I think we had better let it go over until to-morrow.

THE PRESIDING OFFICER. Objection is made, and the bill will be passed over.

BITTER ROOT IRRIGATION PROJECT, MONTANA

The bill (S. 3826) for the rehabilitation of the Bitter Root irrigation project, Ravalli County, Mont., was announced as next in order.

THE PRESIDING OFFICER. By unanimous consent, Order of Business 1068, House bill 9990, will be substituted for the Senate bill for the purposes of consideration.

Mr. JONES. Mr. President, I would like to know what the rehabilitation is and some facts in connection with the project. I do not see either one of the Senators from Montana here, and I think we had better have the bill go over.

THE PRESIDING OFFICER. The bill will be passed over.

ST. FRANCIS BRIDGE, ARKANSAS

Mr. CARAWAY. Mr. President, House bill 9628 has just been reported from the Committee on Commerce. It authorizes the highway department of my State to construct a free bridge over the St. Francis River, and they are ready to commence construction. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate proceeded to consider the bill, which was read the third time and passed.

VOLLBEHR COLLECTION OF INCUNABULA

Mr. BINGHAM. Mr. President, in only a minute or two we must leave the consideration of the calendar, and I wonder if the Senate would object to my asking unanimous consent that the Senate proceed to the consideration of House bill 12696, authorizing an appropriation for the purchase of the Vollbehr collection of incunabula.

Mr. OVERMAN. Mr. President, if the Senator will yield, I would like to ask the Senator from Oregon why we can not continue with the consideration of the calendar and finish it? I hope there will be no objection to that.

Mr. McNARY. Mr. President, a suggestion of that kind was made earlier, and objection was interposed. We shall have consideration of the calendar again to-morrow at 12 o'clock.

Mr. ROBINSON of Arkansas. The request has been submitted, and I wish to make a statement myself.

Mr. BINGHAM. I hope the request will be granted.

THE PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

THE CHIEF CLERK. A bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways.

COMMEMORATION OF THE BATTLE OF HELENA, ARK.

Mr. ROBINSON of Arkansas. Mr. President, inasmuch as I do not expect to be in the Senate when the call of the calendar is completed to-morrow, under the order under which we have just been proceeding, I desire to ask unanimous consent, with the approval of the Senator in charge of the unfinished business [Mr. COUZENS], for the immediate consideration of Calendar No. 1077, the bill (S. 4515) to commemorate the Battle of Helena, Ark. I do not think the consideration of the measure will lead

to any debate. I desire to have printed in the RECORD the report of the committee on the bill.

THE PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

There being no objection, the Senate proceeded to consider the bill, and it was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purpose of commemorating the Battle of Helena, at Helena, Ark., the Secretary of War is authorized and directed to acquire not to exceed 1 acre of land, free of cost to the United States, at the above-named battle field, to fence the parcel of land so acquired, and to erect thereon a suitable monument.

SEC. 2. There is authorized to be appropriated the sum of \$25,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this act, and there is authorized to be appropriated for the maintenance of the land, fence, and monument authorized by section 1 of this act a sum not to exceed \$250 per annum.

THE PRESIDING OFFICER. The report of the committee will be published in the RECORD, as requested by the Senator from Arkansas.

The report is as follows:

Mr. SHEPPARD, from the Committee on Military Affairs, submitted the following report (to accompany S. 4515):

The Committee on Military Affairs, to which was referred the bill (S. 4515) to commemorate the Battle of Helena, Ark., having considered the same, report favorably thereon with the recommendation that it do pass.

The bill conforms to the recommendation of the board of officers appointed by the Secretary of War to make a study of battle fields in the United States for commemorative purposes, as authorized by act of Congress approved June 11, 1926, which recommendation is contained in Senate Document No. 46, Seventy-first Congress, second session.

The historical statement of this battle, made by the historical section, War Department, is as follows:

"HELENA, ARK."

"In the spring of 1863 the principle effort of the Union forces in the West was centered on Vicksburg. Operations in Arkansas were suspended until after the important struggle for Vicksburg had been decided. The main body of troops in the Department of Missouri were sent to reinforce General Grant, then before Vicksburg. The Union force holding Helena, Ark., was reduced to send more troops to Grant, leaving a garrison of only about 5,000 men for the defense of the place.

"Taking advantage of this reduction of Union forces, the Confederate authorities in the Trans-Mississippi Department decided to move against Helena as a means of raising the siege of Vicksburg, and of keeping the Mississippi River closed in the event of the surrender of that city. Lieut. Gen. Thomas H. Holmes collected a force of about 7,646 near Clarendon, proceeded toward Helena by converging roads, and reached Allen Polk's house, about 5 miles from Helena on the morning of July 3, 1863. There he learned the fortifications of Helena were much stronger than he expected. Maj. Gen. Benjamin M. Prentiss, commanding the Union force then about 4,129 having rightly sized up the indications of a premeditated attack, had materially strengthened his position.

"Holmes's skirmishers opened up the attack on Prentiss's pickets at 3 a. m., July 4, 1863. The fight soon began in earnest and after several hours of desperate conflict the Confederates succeeded in penetrating a portion of the Union defenses, but the concentrated fire from the gunboat *Tyler*, from the forts, batteries, and infantry which had withstood the assaults, caused Holmes to withdraw his men from the field about 10.30 a. m.

"The Union losses were about 239, the Confederate amounting to about 1,590. Helena remained in the hands of the Union garrison, the Mississippi was not closed, and troops released from the siege of Vicksburg which fell on the same day, eventually operated from Helena to penetrate Arkansas."

PURCHASE OF VOLLBEHR COLLECTION OF INCUNABULA

Mr. COUZENS. Mr. President, I would like to yield to the Senator from Connecticut [Mr. BINGHAM] to call up a bill to which I objected the other day. It is necessary to have its consideration and passage in order to get an item of appropriation in the deficiency appropriation bill. I offer no objection.

THE VICE PRESIDENT. The clerk will read the bill by title.

THE CHIEF CLERK. A bill (H. R. 12696) authorizing an appropriation for the purchase of the Vollbehr collection of incunabula.

Mr. JONES. Mr. President, may I inquire how much of a fund is called for by the bill?

Mr. BINGHAM. The amount authorized is \$1,500,000. It was testified by the Librarian of Congress that this collection is worth far more than that sum. If the bill does not go through at this time, the owner is under promise to sell it for

considerably more than that sum. The Librarian of Congress testified that this is the best investment Congress could make at the present time and would lead to gifts of many important collections to the Library of Congress.

The report was published in the *RECORD* the other day. The Senator from Ohio was opposed to it at that time, but has become convinced, from testimony by Doctor Putnam, the Librarian, that it is the part of wisdom to make the purchase for the Library in behalf of the Federal Government.

Mr. JONES. Is it intended to offer this item as an amendment to the deficiency bill before it is signed by the President?

Mr. BINGHAM. Yes; it will be in order as an item on the deficiency appropriation bill. In fact, I believe it is in order at the present time, but in order to be sure that the Senate actually wants to do this I thought it would be better to get this bill passed before we take up the deficiency appropriation bill. If the money is not available at this time, then the opportunity of securing the collection at far less than its commercial value will be lost.

Mr. JONES. That should be taken care of by another bill, if it is deemed of such importance. I do not want to see items like that go upon the deficiency bill.

Mr. BARKLEY. Mr. President, I hope the Senator from Washington will not object to this bill. It is simply a question of whether we can avail ourselves of this collection now or never. If we do not accept it now, the chance will never come again. The Librarian of Congress ought to have this priceless collection of some 3,000 books, one of which, I am informed, will be sold within 10 days after we adjourn, if it is not accepted by the Federal Government, at one-third the price we are asked to give for the entire collection.

Mr. JONES. That would justify the other body in passing a joint resolution covering the item. There are two or three such items that ought to be covered now.

Mr. McKELLAR. Mr. President, what the Senator from Connecticut wants is merely to have the authorization for the appropriation.

Mr. JONES. It should not be proposed as an amendment to the deficiency bill before it is signed by the President.

Mr. McKELLAR. I suggest to the Senator from Connecticut that he follow the course suggested a moment ago by the Senator from Washington.

Mr. JONES. With that suggestion I shall make no objection.

Mr. GILLET. Mr. President, do I understand there is objection to the consideration of the bill?

The VICE PRESIDENT. There is not.

Mr. GILLET. I do not want to object, but I wish to say a word on the subject. I shall occupy only a moment.

I opposed the bill in committee, and I simply wish to state my reasons, although I shall not object to the present consideration of the bill. It seems to me this is establishing a dangerous precedent for the United States, inasmuch as it pays \$600,000 for a copy of the Gutenberg Bible. That unquestionably is one of the most curious and extraordinary books in the world, one which all of us would love to see in the Library of Congress, but I have always felt, and I still feel, that it is not wise for the United States or the Library of Congress to spend large sums for curios, or rare books such as the Gutenberg Bible. Therefore I felt in committee that I ought to oppose it. Of course other countries have done this for centuries. Great museums and libraries and collections of pictures and jewels have in the past been purchased by monarchs, who have thereby made their cities celebrated and have attracted the admiration of the world.

It seems to me, if we once commence that practice and pay large sums for curios and enter the market in competition with private collectors, we are establishing a rather dangerous precedent. In this country that has always been left to private individuals who have amassed wealth and enjoy this elevated method of spending it. And their collections always gravitate ultimately to public institutions by gift or bequest, and that habit is constantly growing. The Library of Congress is becoming a depository where rich men like to leave their collections.

When I first came to Congress the Library was housed in the Capitol and was a mere reference library for Congress and a mass of copyrighted books. But under the wise and farseeing administration of Mr. Putnam it has become a great center of education as well as an assemblage of books, and is of great value to the culture of the Nation. And more and more rich men will lavish on it their accumulations. This morning's papers told us of the recent bequest of \$10,000,000 by my college friend, Mr. Folger, for the Shakespeare collection which is to be housed in the building now going up next to the Congressional Library. That is the way I think our Library will get curios without our buying them with national funds. We ought to continue to appropriate generously as we have in the past to provide the Library with books and intellectual tools for students and lit-

erary men, but I do not think we ought to spend great sums like this on rarities not connected with American history. But I have no doubt this expenditure will not only give us one of the rarest and most splendid books in the world but will also stimulate prospective donors to consider it the most distinguished and desirable depository for their treasures. And so although I think the precedent a bad one I will not object to the passage of the bill.

Mr. HOWELL. Mr. President, I would like to ask the Senator from Connecticut if the item of \$1,500,000, which it is proposed to authorize, has been submitted to the Bureau of the Budget.

Mr. BINGHAM. No. The bill was passed by the House of Representatives without a single dissenting vote, a very unusual procedure. There has been a very great study of the whole situation by the committees of the House and Senate. It was testified before the committees that the collection is worth far more than Mr. Vollbehr is willing to sell it for, provided it is kept in the Library of Congress.

Mr. HOWELL. I have understood these facts, but what I want to know is whether the Bureau of the Budget considered the item? We are threatened with a deficit, I understand.

Mr. BINGHAM. Of course, this is not an appropriation.

Mr. HOWELL. But it authorizes an appropriation, and, as I understand it, the Senator wants to get the item in the deficiency appropriation bill which will shortly come before the Senate.

Mr. OVERMAN. Mr. President, may I inquire how much is asked to be authorized to be appropriated?

Mr. BINGHAM. The sum of \$1,500,000. I stated to the Senator from Tennessee a little while ago that I should not press for its inclusion in the deficiency appropriation bill.

Mr. HOWELL. But it is very evident that there will be pressure for the appropriation of the amount before we adjourn. Therefore, inasmuch as we are threatened with a deficit, is it wise for us to proceed even though we should like to have the collection?

Mr. BINGHAM. We are advised that it is an extremely advantageous investment for us to make and that it will yield many times what it will cost.

Mr. HOWELL. But does the Senator regard this as an asset?

Mr. BINGHAM. Most decidedly. That is the opinion of Doctor Putnam, whom we all respect and admire.

Mr. HOWELL. Does the Senator think, under the circumstances, that we can afford to spend \$1,500,000 for this collection?

Mr. BINGHAM. Yes; I do.

Mr. HOWELL. I was not greatly impressed with the threat of a deficit. However, I have listened to whatever is presented here by the various executive departments, and inasmuch as it now seems that this will not cause us any particular financial distress, I shall not offer any objection.

There being no objection, the Senate considered the bill, which was read the third time and passed, as follows:

Be it enacted, etc., That for the purpose of acquiring for the Library of Congress the collection of fifteenth century books known as the Vollbehr collection of incunabula and comprising 3,000 items, together with the copy on vellum of the Gutenberg 42-line Bible known as the St. Blasius-St. Paul copy, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$1,500,000, or so much thereof as may be recommended by the Librarian of Congress in an estimate submitted for the purpose.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DEMPSEY, Mr. STRONG of Pennsylvania, and Mr. MANSFIELD were appointed managers on the part of the House at the conference.

RIVER AND HARBOR BILL

The PRESIDING OFFICER (Mr. VANDENBERG in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSON, Mr. JONES, Mr. McNARY, Mr. FLETCHER, and Mr. RANDELL conferees on the part of the Senate.

MOTOR-BUS TRANSPORTATION

The Senate proceeded to consider the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways, which had been reported from the Committee on Interstate Commerce with amendments.

Mr. JONES. Mr. President, I have the deficiency bill ready to take up. I want to get the appropriation bills through, so that any delay in our final adjournment may not be laid to that cause. I would not like to displace the unfinished business in charge of the Senator from Michigan [Mr. COUZENS]. Can the Senator give me any idea as to when I might be able to call up the deficiency appropriation bill without interfering with the measure which he has in charge?

Mr. COUZENS. I think we ought to debate the bus bill for a while and see what objections there are to the committee amendments. I am unable to state how long it may take. I am just as anxious that the bus bill should not delay adjournment as I am that the deficiency bill should not delay adjournment. I submit that it will not take any longer or create any more possibility of delay than will the deficiency bill, from what I understand the situation to be.

Mr. DILL. Mr. President, will my colleague yield?

Mr. JONES. In just a moment. The deficiency bill, like all appropriation bills, should be passed before we adjourn, so that it would probably prolong the session more than almost any other measure if it were necessary to delay final adjournment in order to get the bill passed. I have been anxious to get the appropriation bills passed as promptly as possible. I am willing to wait until probably 4 or half past 4 o'clock, and then I should like to call up the deficiency bill. I should like to call it up some time during the afternoon.

I yield now to my colleague.

Mr. DILL. Of course it is impossible to pass the bus bill this afternoon. The Senator from Michigan must know that. There are a great many amendments. The bill has never been before the Senate previously. It affects a great and growing business. It affects the use of the highways of the United States. It would seem to me that the wise thing to do would be to take up the deficiency appropriation bill now. In fact, yesterday when the bus bill was made the unfinished business that was the distinct understanding, as the RECORD will show. I hope we may take up the deficiency appropriation bill and dispose of it, and then discuss the bus bill in the regular manner.

Mr. JONES. I want to call up the deficiency appropriation bill sometime during the afternoon.

Mr. COUZENS. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The VICE PRESIDENT. Is there objection?

Mr. DILL. I think the bill ought to be read in full and the committee amendments taken up in their order. That is the reason why I shall object to the request.

The VICE PRESIDENT. The Senator from Michigan has asked unanimous consent to dispense with the formal reading of the bill, that the bill be read for amendment, and that the committee amendments be first considered.

Mr. DILL. I object to dispensing with the formal reading of the bill.

Mr. COUZENS. Then I ask that the clerk proceed with the reading of the bill.

The VICE PRESIDENT. The clerk will read the bill.

The Chief Clerk proceeded to read the bill.

Mr. DILL. Mr. President, in order that the Senate may know what the fight on this bill is about, let me say that the minority of the committee believe that the objectionable feature of the bill primarily is that it requires a certificate of necessity to be granted to anybody who wants to go into the passenger-bus business in the future. We have been accustomed to having certificates of convenience and necessity for new railroads or for additions to existing railroads. Consequently, in writing this bill the majority of the committee have proceeded to provide for a certificate of necessity in the very beginning of the regulations of the motor-bus industry.

Mr. COUZENS. Mr. President, will the Senator from Washington yield?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Michigan?

Mr. DILL. I yield.

Mr. COUZENS. Does the Senator think the statement he has just made is a correct one?

Mr. DILL. I think it is a correct statement.

Mr. COUZENS. I think the Senator will recall that the House provision was of the nature he stated, but the majority of the Senate committee propose to amend that provision so as to provide for limited competition; in other words, there have to be two competing lines in order to make a certificate necessary.

Mr. DILL. Yes; I think that is a correct statement. The Senator from Michigan and a majority of the committee propose to amend the bill by providing that if there be only one bus line running over a certain route the issuance of a certificate of necessity to another applicant who fulfills the requirements shall be mandatory. I do not care to go into a discussion of that question at this time other than to say that it involves as many objectionable features as it does good features, for the reason that there are many places where only one bus line exists, and to establish a second line would be destructive to the existing line as well as to the new line, because there is not business enough for both of them, while if the issuance of a certificate was not required the danger of competition being created by some company coming in and setting up a line would cause the existing line to render the public service of a far higher standard than otherwise.

The fact of the matter is that the majority of the committee could not meet the contention of other members of the committee that it was a dangerous and bad policy to grant a monopoly by law to existing bus lines and not give the power to fix rates to the commission. The fixing of rates by the Interstate Commerce Commission on railroads in the country was never a part of its power until the certificate of necessity provision was put into the law some 30 years after we began railroad regulation. So the majority of the committee found itself confronted by a dilemma which it could not solve; and in its attempt to get out of that situation it has placed an amendment in the bill which, in my judgment, will do more harm than good, because, undoubtedly, there are many places in the country where there is not sufficient business for two bus lines and there is no reason for two bus lines, but some ambitious bus owner or one who desires to run a bus line will make application for a certificate, and under the proposed law it will be necessary that he be given it. Thus there will be forced upon communities extra bus lines that are not needed.

Mr. COUZENS. Mr. President, will the Senator yield to me? The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Michigan?

Mr. DILL. I yield.

Mr. COUZENS. I wonder how the Senator's provision would remedy the evil of which he complains. The Senator does not provide for any certificate in his proposal.

Mr. DILL. No; it requires a permit.

Mr. COUZENS. A permit has to be granted in either case.

Mr. DILL. And the permit would be granted on condition that the applicant had fulfilled the requirements of providing protection to passengers and to others who might be damaged by his busses, continuity of service, and a safety provision such as the commission might provide and leave to the open field of competition the establishment or the abandonment of bus lines.

The trouble with the Senator's proposal and that of the majority of the committee is that they want to begin regulation of a new and growing business at a point which we did not reach in the railroad business for nearly 30 years after we began its regulation.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Kentucky?

Mr. DILL. I yield to the Senator.

Mr. BARKLEY. Does not the Senator from Washington recognize a very clear distinction even between the early stages of railroading and the early stages of interstate bus traffic in this that bus lines travel over public highways created primarily for the accommodation of the public who have their own vehicles? They do not use privately owned tracks, laid down as are railroad tracks, but busses are exercising the right of common carriers over public highways, dedicated primarily to all the people, who have a right to use them with their vehicles. With respect to the manner of requiring certificates of convenience and necessity, the Senator recognizes the difference between the situation as to bus lines and the original situation with reference to railroad lines?

Mr. DILL. There is this difference: The existing railroads have far more right to claim that a certificate of convenience and necessity be not granted to those who wish to be competitors than the existing bus lines have, because the railroads have constructed railroad lines on their rights of way; they have established their lines; they have built up their service; whereas all the bus owners have done is to acquire some busses and run them up and down the highways of the country. This

bill proposes to give the existing bus lines of railroads and other private companies a monopoly unless a potential competitor can convince the Interstate Commerce Commission that competition should be permitted.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. DILL. I yield.

Mr. BARKLEY. I appreciate what the Senator says about that, but it strikes me that Congress ought not to make it mandatory upon any commission to fill the public highways with unnecessary busses. In many sections of the country already it is dangerous and difficult for people with their own vehicles to proceed up and down the public highways because of what a very famous Kentucky judge once called the "numerosity" of busses on the highways. If we can protect the public from unreasonable charges, and guarantee to them adequate service, what difference does it make whether that service is guaranteed by one bus line, if only one bus line is justified, even though it may be in existence now under present arrangements, even though it may be covered into a sort of preferred status by this proposed law, based upon its previous existence?

Mr. DILL. Of course, the Senator's question is based upon the word "if"—if we can guarantee these things—but there is not anything in the bill that will guarantee them.

Mr. BARKLEY. Of course, the bill provides that rates shall be just and reasonable.

Mr. DILL. That is what the railroad lines promised before we created the Interstate Commerce Commission, but it was not until after that time that approximately such a result was obtained.

Mr. BARKLEY. Mr. President, even the power of the Interstate Commerce Commission to fix railroad rates—which is a power giving them the right to fix minimum and maximum rates but not to fix the rates on its own motion—was not granted to the commission solely on the basis of the requirement that a new railroad in order to be built must secure a certificate of convenience and necessity. When Congress undertook to say by law that the railroads should receive a certain percentage upon their valuation as compensation, which was designated in the law as a fair return, of course, Congress had to confer upon the commission the power to fix rates. So those two things go hand in hand.

Mr. DILL. Of course, the Senator knows that we did not give the commission that power until we wrote in the law the convenience and necessity clause.

Mr. BARKLEY. That is a mere coincidence.

Mr. DILL. That may be so.

Mr. BARKLEY. Because the power to fix rates applies to all the railroads in the United States, and the power to issue a certificate of convenience and necessity applies only where somebody wants to build a new railroad.

Mr. DILL. But the Senator recognizes that it would be indefensible to give the present existing railroads a monopoly and allow no new lines to be built and not have control of rates?

Mr. BARKLEY. I think that is true.

Mr. DILL. I should like to refer to the point the Senator made a moment ago as to the use of the highways. This bill applies only to interstate passenger busses. The interstate passenger business of the country to-day comprises about one-ninth of the bus business of the country. If I remember the figures aright, there are about 1,600,000,000 users of busses of whom 185,000,000 are interstate passengers. So the control provided by the bill of interstate busses is a control of about one-ninth of the passenger busses on the roads; and the bill has no effect at all upon the trucks on the highways, although the interference with traffic to-day is due more to the freight business conducted by trucks, and the destruction of highways is caused more by trucks, than it is by passenger busses.

Mr. BARKLEY. Mr. President, if the Senator will yield further, I agree with him about that, and when the bill was first taken up in the committee I brought up the question as to why we were not undertaking to regulate interstate truck business also; but the committee decided—and probably wisely—not to enter that field at this time. The only thing we are dealing with is the passenger bus.

Mr. DILL. I recognize that. However, the contention which some of us make in this matter is, since this is a growing business, since it is a new business, and since the bill affects only interstate passenger busses which constitute about one-ninth of the passenger busses of the country, that we ought first to try regulation without going to the extreme of saying that the people who now have succeeded in getting onto the highways shall be given a monopoly and be permitted to stay there unless some one else can convince the commission that he ought

to be allowed to enter the business in addition to those now engaged in it.

Mr. GEORGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Georgia?

Mr. DILL. I will yield in just a moment. What reason is there why the Congress should say by law that the highways built by the people's money—all of the people's money—shall be reserved for passenger interstate bus use, for railroad busses and busses of other great companies that are now using them? Why should they not take their chances with other people who make application, instead of having this "grandfather clause" in the bill which covers these companies and brings them under the wing of this proposed law and puts everybody else outside?

Mr. GEORGE and Mr. WALSH of Montana addressed the Chair.

The VICE PRESIDENT. Does the Senator from Washington yield; and if so, to whom?

Mr. DILL. I yield first to the Senator from Georgia.

Mr. GEORGE. Upon what theory is it that the use of the highways may be refused to one man for the identical purpose for which they are granted to another?

Mr. DILL. Does the Senator ask me my view as to that?

Mr. GEORGE. Yes; that is a fundamental question.

Mr. DILL. The only basis, in my judgment, upon which it can be refused is that the person proposing to use the busses in interstate business does not comply with the requirements of protection and safety to the passengers and those who are traveling in interstate commerce.

Mr. GEORGE. Exactly; but when the standard is once fixed, every citizen who is willing and wishes to comply with it has an equal right to use the public highways.

Mr. DILL. That is exactly true, and that is what we are asking for in this bill; but the proposal of the majority is by law to say that those who are now operating busses on the highways shall have a preferred right and shall continue to use the highways to the exclusion of everybody else unless others can convince the commission that if allowed to enter the business they will put on better busses.

Mr. WALSH of Montana and Mr. BARKLEY addressed the Chair.

The VICE PRESIDENT. Does the Senator from Washington yield; and if so, to whom?

Mr. DILL. I yield first to the Senator from Montana.

Mr. WALSH of Montana. Mr. President, I understand this bill is being considered under the usual request that committee amendments be read first for consideration. I was wondering if some Senator would not undertake, before we go into the bill in detail, to outline its general character for us and to indicate to us what are the controversial questions involved?

Mr. DILL. That is the duty of the Senator in charge of the bill. I thought it was just as well to get this controversial question before the Senate. This is the dominant controversial question. There are certain other questions to be raised—one by the Senator from Nevada [Mr. PITTMAN] in relation to railroads conducting bus lines. This being the dominant controversial question on which six members of the committee signed a minority report, I wanted to get this matter before the Senate.

Mr. WALSH of Montana. I have no doubt that the matter to which the Senator from Washington is now addressing himself was threshed out before the committee; but the discussion is of very little aid to those of us who have not had the advantage of the hearings before the committee unless we first know something about the bill in general and just exactly what the controverted points are.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Kentucky?

Mr. DILL. I yield to the Senator.

Mr. BARKLEY. In connection with the Senator's statement referring to section 4 of the bill as a "grandfather clause" covering existing lines into the civil service, as we say, I should like to point out to him that that is true only in part. It gives them a preferred status for a period of 90 days. If they file an application for a certificate of convenience and necessity within the period of 90 days, they are then permitted to go ahead and operate until the commission shall order to the contrary. So they are only given a 90-day period because of the fact that their owners have invested their money in those bus lines, and they are given that three months' period in which to make application for the certificate which is required by the act; and, of course, the commission thereafter can make any order that it may see fit to make with reference to the existing bus lines, notwithstanding the fact that they have filed their applications.

Mr. DILL. In theory what the Senator says is true; but in practice the Senator knows, if he has read the bill, that its whole purpose is to permit the continuation of every bus line now in existence that comes up to the requirements laid down. In fact, I think the bill reads that way. I have not looked at the particular language to-day, but I am rather familiar with it. They are allowed 45 days in which to fill out a questionnaire.

A copy of all questionnaires and answers thereto shall be furnished by the commission to the board of every State in which any part of the operations of the carrier are conducted. If it appears from the answers to the questionnaire or from information otherwise furnished, (1) that the carrier or a predecessor in interest was in bona fide operation on April 1, 1930—

Of course, that will have to be brought down to date—

as a common carrier by motor vehicle in interstate or foreign commerce on any public highway and (except as to interruption of operations over which the applicant or its predecessors in interest had no control) continuously has so operated since that date, and (2) that such operations are bona fide for the purpose of furnishing reasonably continuous and adequate service at just and reasonable rates, and (3) that the applicant is fit, willing, and able properly to perform the service required, and to conform to the provisions of this act and the requirements, rules, and regulations of the commission thereunder, then a certificate shall be issued to the applicant by the commission without further proceedings—

And so forth. All an applicant needs to do is to come up to these requirements, and he is to be granted this certificate, while any new applicant must come in without having any service, without having anything, and be put up against those that are already in existence.

I am not going to take any more time at present; but I simply wanted to bring out this point of difference that exists between the members of the committee.

The VICE PRESIDENT. The clerk will continue the reading of the bill.

The reading of the bill was resumed.

The first amendment of the Committee on Interstate Commerce was, on page 5, line 10, after the word "hear," to strike out "and decide," so as to read:

SEC. 3. (a) Except in case of a matter required to be referred to a joint board as provided in subdivision (d), any particular matter or class of matters arising under the administration of this act may be heard and decided by the commission, or may, by order of the commission, be referred for hearing to any member or examiner of the commission. Such member or examiner shall hear the matter referred and recommend appropriate order thereon.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Interstate Commerce was on page 5, line 17, after the word "commission" to strike out "and shall, upon the expiration of 10 days after filing," and insert "and served upon the persons specified in subsection (f), and if no exceptions be taken within 20 days after service upon such persons, shall," so as to read:

With respect to such matter the member or examiner shall have all the rights, duties, powers, and jurisdiction conferred by this act upon the commission, except the power to make the final order thereon. Any order recommended by the member or examiner with respect to such matter shall be filed with the commission, and served upon the persons specified in subsection (f), and if no exceptions be taken within 20 days after service upon such persons, shall become the order of the commission and become effective, unless within such period the order is stayed or postponed by the commission.

The VICE PRESIDENT. The question is upon agreeing to the amendment of the committee.

Mr. DILL. Mr. President, of course this is simply a provision to allow the person against whom the order is issued 10 days more in which to file an objection or file a petition. I do not know that it is particularly important either way. Probably it is an improvement in the bill. I have not any particular interest in that particular amendment. I do want to call attention, however, to the fact that while this bill says "all motor vehicles," when we come to read the definition we find that it entirely disregards the most important motor vehicles engaged in interstate business, namely, those engaged in the truck business.

Mr. COUZENS. Mr. President, will the Senator yield at that point?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Michigan?

Mr. DILL. I yield.

Mr. COUZENS. Most of these truck operators are not common carriers. That has been very clearly demonstrated—that most of them are contract carriers, and, therefore, they would not be common carriers in interstate commerce. That is one of the reasons why they are not included in the bill.

Mr. DILL. Of course the Senator knows that a large number of them are common carriers.

Mr. COUZENS. Very few.

Mr. DILL. The Senator knows that many of them get licenses on the basis of being common carriers; and the fact of the matter is, I think, that in the House they took out the truck business because they wanted to avoid the opposition of a lot of truck-operating people, and they wanted to avoid a lot of lawsuits that might grow out of including them.

Mr. COUZENS. Of course the Senator knows that the majority of these truck operators are not common carriers. Most of them are contract carriers from plant to plant, and do not hold themselves open to accept freight at any tariff rate, nor do they go from one fixed terminus to another. They may go from one warehouse to another warehouse, but it is done on a contract basis and not on a tariff basis.

Mr. DILL. Of course the Senator knows that a great many of them carry private freight, just the same as the railroads do, from one town to another, or as individuals carry freight from one community to another; and they are just as clearly common carriers as any railroad train can be.

Mr. COUZENS. But they have no published tariff, and they do not accept freight unless they have a contract for it.

Mr. DILL. No; because they have never been placed under the law; but they certainly can be placed under the law if it is so desired.

Mr. COUZENS. I am just wondering what that has to do with this bill, because it was understood at the beginning—the Senator himself made the statement—that this bill was only to regulate busses that carry passenger traffic.

Mr. DILL. If this bill is really to protect the highways, which the Senator said there is such need of, it ought to protect the highways as to the freight business as well as the passenger business. I am not advocating that it be done; but I am calling attention to the fact that this is a bill primarily in the interest of the railroads that own the bus lines that parallel them, and in the interest of the bus owners that now have established routes and do not want anyone else to be able to come in and interfere with them. That is what this bill is.

Mr. COUZENS. No one is particularly denying that, except to state the fact that this traffic has reached such a point that it seems necessary to establish some rules and regulations to govern it, even though the bus lines are operated by the railroads, or are already entrenched in the business.

Mr. DILL. And because it is desirable to have some rules and regulations this bill is proposed, which gives to the existing bus-line operators a monopoly of the situation. It is to that that I object; and that is the part of the bill that is against the interests of the American public.

Mr. COUZENS. The Senator is wrong again. The bill does not create a monopoly, for the very reason that the committee put in an amendment to prevent a monopoly; and it is on that point that the Senator from Kentucky [Mr. BARKLEY] disagreed with the committee. The House of Representatives, when they passed the bill, truly made a monopoly. The committee amended it so that there would not be a monopoly; and after the committee had done that the opposition arose from the railroads and the entrenched bus companies.

Mr. DILL. No; that particular amendment will apply only to a few cases. When I say "a monopoly," I mean a control by one or two sets of owners of these busses; and that is what exists all over this country and will exist all over this country.

What is the situation? I suppose other Senators, while not perhaps receiving as many as I have, have received large numbers of telegrams in the past few days, those in my State coming from railroad employees, saying that it is of extreme importance to the railroad employees that this bus bill pass. Now, why? Because the railroad officials have gone to them and said to them, "Wire your Senator. Tell him to support this bill. It means more employment for you." Why will it mean more employment for these employees? Because it will give the railroads that have bus lines an absolute protection against any real competition in the future, and they can control the passenger business in their particular States.

Mr. BARKLEY. Mr. President, I do not think it is quite fair to the railroad brotherhoods, that represent over 2,000,000 people in the United States, to say that they have importuned Senators because they have been asked to do it by the railroads.

Mr. DILL. Will the Senator let me interrupt right there?

Mr. BARKLEY. I doubt if the Senator can substantiate that statement.

Mr. DILL. That is just what I wanted to say to the Senator. I have a telegram from a railway men's organization of my State saying that they have been importuned, and wanting to know why the railroads wanted them to support the bus bill and why I opposed it. I did not bring the telegram over here, but I will bring it over if the Senator has any question about it.

Mr. BARKLEY. Independently of that, the railroad employees, of course, have an interest in the continuation of railroad traffic, just as railroad investors have; and very naturally, of course, the bus lines have made it necessary to take many passenger trains off the railroads, which has thrown hundreds of thousands of men out of employment; and from that standpoint alone, of course, the railroad employees are interested.

I think the Senator should not let the RECORD show that. They have come here and testified before our committee in the open, men here representing the railroad employees. They have their interest in it, and it is not quite fair to say that they are only interested because the railroad presidents and other officers have asked them to become interested.

Mr. DILL. I am not condemning the railroad employees, but I had this telegram this morning, and I felt justified in saying that they have done it in my State, and I think they have done it in others, because the railroad employees would not know anything about the bill if the railroad officers had not gone to them about it. Of course they want the railroad business maintained.

Mr. BARKLEY. The railroad brotherhoods have been urging legislation for a good many years; in fact, since 1925, when the Supreme Court held that the Interstate Commerce Commission had no power and that intrastate commissions had no power to regulate interstate bus business. There has been a demand on the part of the railroad employees generally to have legislation regulating the traffic between the States and bus lines. I am satisfied that of the hundreds and hundreds of letters and telegrams I have received from not only my State but from all over the United States in behalf of bus legislation, not one out of a hundred of those telegrams and letters has been instigated by any railroad importuning its employees to write or wire to me.

Mr. DILL. They probably were not all importuned directly, but I do know that the railroad officials have been importuning the employees on various occasions in connection with this and other legislation.

Let me say that I am not opposing regulative legislation. What I am opposing is the part of this bill which proposes to throttle future competition in the development of the bus business. It is as though when the railroads first were developed in this country we had given to the canal-boat owners the right to control the development of the railroads. It is the same kind of a thing.

The Senator from Nevada has an amendment which would prohibit the enlargement of the bus business by railroad company ownership. They ought to be absolutely prohibited and divorced. They ought not to be permitted to control this great developing passenger business over highways paid for by the people.

Mr. GLENN. Mr. President, I do not know why they should be prohibited.

Mr. DILL. I should have added, if this certificate of necessity provision is kept in. I left that out.

Mr. GEORGE. Mr. President, if the Senator will pardon me, what I am utterly unable to comprehend is why anybody should be given a privilege over a public highway which every other person who meets the same qualifications can not exercise. Upon what possible theory can that be justified?

Mr. DILL. The Senator has put his finger directly upon the indefensible part of the certificate-of-necessity provision.

Mr. GEORGE. It is not necessary to regulation. It is not necessary to the most rigid regulation. It can not be justified upon any such theory.

Mr. BARKLEY. Mr. President, will the Senator from Washington yield?

Mr. DILL. I yield.

Mr. BARKLEY. I will state to the Senator what I suppose he already knows, that practically all of the States of the Union have enacted legislation regulating intrastate busses. This legislation only comes here because it has been held that these commissions in the States have no power whatever to regulate interstate busses.

Mr. GEORGE. I understand that, but why should it be put in the discretion of any board or of the Interstate Commerce Commission to determine the question of public necessity and convenience? Why is that necessary at all?

Mr. BARKLEY. Because, as I contend—and some members of the committee do not agree with me—the public highways were not built and dedicated in the first place for common carriers. The public highways were constructed for all the people.

Mr. GEORGE. Exactly, but the Senator is proposing to give them to some people and deny them to others who have the same qualifications.

Mr. DILL. I must ask Senators to debate in their own time. Mr. BARKLEY. Mr. President, may I get this one sentence out of my system?

Mr. DILL. I will let the Senator finish his sentence.

Mr. BARKLEY. My contention is that the public highways thus dedicated and thus constructed should not be used for hire except to the extent to which it is necessary that they be used for that purpose.

Mr. GEORGE. Mr. President, will the Senator yield to me once more?

Mr. DILL. I yield for one more statement.

Mr. GEORGE. The very moment we insert the phrase "to the extent necessary" we cut out one citizen and permit another citizen to use public highways for a purpose to which we deny them to other citizens. It is all right to say that they shall not be used except by individuals, if that is desired, who are able to provide a bus of a certain weight, if you wish; and who must agree to charge a certain fare, if you please, and comply with any needful or proper regulation; but it is all wrong to give to one man any rights on a public highway which are denied to another man, when they put themselves in identically the same situation.

Mr. DILL. Mr. President, I can not yield any further.

There are a number of these minor amendments, to which I am not going to object, because I have no particular interest in them; but I think the joint board question, which is taken care of on page 6, should be explained to the Senate when we reach that amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The clerk will continue the reading of the bill.

The legislative clerk resumed the reading of the bill.

The next amendment of the committee was, on page 5, line 23, to strike out "An application in writing for the review of any such matter may be made to the commission, whereupon it shall be its duty" and to insert in lieu thereof the words "Where exceptions are filed as herein provided it shall be the duty of the commission."

The amendment was agreed to.

Mr. BARKLEY. Mr. President, in view of the confusion which seems to exist in the minds of some as to just what the questions in connection with this bill are, I should like to make a brief statement as to my understanding of what is really before us.

This legislation, as I intimated a while ago, has been long delayed. The motor-bus business has developed to such an extent that one may now go from one end of the country to the other, from New York to San Francisco, all the way over the country or any portion of it, by motor bus. This form of travel has become so prevalent that all the States, with one or two exceptions, have found it necessary to enact legislation to regulate the use of motor busses on the highways within those States.

My view of the use to which a public highway may be put is that primarily public highways were constructed and dedicated for the benefit of all the people—those who ride in wagons, who ride in busses, who ride horseback, who ride in automobiles, or who walk. That was the primary object of creating public highways and dedicating them to the public use.

It is my theory that if there are more busses on a highway than are really needed for the convenience of the public, to that extent those busses interfere with the primary object of the creation of the highway.

Mr. DILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DILL. The Senator realizes that if proper restrictions are placed around the interstate bus business, no more busses will be used than will be economically profitable, and that the needs of the business itself will control the number of busses.

Mr. BARKLEY. Theoretically that might be accepted as a sound proposition, but as a matter of fact it does not work out that way, because there are always adventurous spirits who will enter a field for the purpose of driving somebody else out who is already in it, or in the hope that in the future business may increase to such an extent that there would be room for more than those now in the business.

Mr. DILL. Does the Senator think the time has come in this country when we should prevent these adventurous spirits, if the public be properly protected, from developing the business, as they have developed every great business in the United States?

Mr. BARKLEY. I think we have to apply a different rule to the ordinary business man who enters any private enterprise from the rule which we apply to the use of a public highway.

Mr. GEORGE. Mr. President, may I ask the Senator a question?

Mr. BARKLEY. I yield.

Mr. GEORGE. May it not be true also that there are just too many individual cars on some public highways in the United States?

Mr. BARKLEY. Yes; that may be true; but they have a right to use them.

Mr. GEORGE. Would the Senator advocate granting them certificates of necessity to travel and regulate them in that way?

Mr. BARKLEY. I do not care to enter into the ridiculous aspect of this situation.

Mr. GEORGE. That is not ridiculous; it is exactly the same proposition, I will say to the Senator.

Mr. BARKLEY. No; the Senator's proposition is, if I may take him seriously in his inquiry—and I do not like to take the Senator otherwise than seriously at any time—whether we are to require a certificate of convenience and necessity in order that a man owning his own conveyance may travel over a highway. I draw no analogy whatever between a man driving over a highway in his own conveyance and somebody using it for vehicles for hire.

Mr. GEORGE. The Senator is getting away from his proposition.

Mr. BARKLEY. I am not getting away from the Senator's.

Mr. GEORGE. Oh, yes, the Senator is. The Senator said that the time might come when because of the multiplicity of bus lines it would be necessary to regulate them through some such legislation as this. I asked the Senator if the time had not in fact come when through the multiplicity of privately owned cars there was some degree of inconvenience and perhaps very great inconvenience in the use of the highways.

Mr. BARKLEY. That is true, and that is the very reason why I do not want those highways cluttered up with unnecessary busses.

Mr. GEORGE. I understand that, but the Senator proposes to grant one the right to use them and deny another the right to use them, when both can meet precisely the same conditions.

Mr. BARKLEY. Yes; but they may not both be needed. If there is only enough traffic on a given highway to accommodate one bus line or one bus, why should we be required to allow somebody else to use the highway for vehicles for hire, not for his own conveyance but for vehicles for hire?

Mr. GEORGE. If the Senator were proposing to prevent anyone from using a highway for hire, I would say "All right; that is a mere matter of public policy," but when the Senator is proposing to permit one individual or one company to use a public highway for operating vehicles for hire, then I do not see how it can be advanced seriously that another individual or company which can comply with every condition imposed has not the same right to the public highway.

Mr. BARKLEY. If the Senator's theory were carried out, it might be possible to go to the extreme of saying that the public highways should be used exclusively for the use of busses, and every private conveyance would be driven off the highways.

Mr. COUZENS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Michigan?

Mr. BARKLEY. I yield.

Mr. COUZENS. To show the absurdity of the position taken, as it seems to me, by the Senator from Georgia, if we grant one gas company or one electric-light company or one telephone company or one street-railway company or one taxicab company the right to use the highways of a municipality, then, because we have done that, we have to grant every application.

Mr. BARKLEY. I was just coming to that.

Mr. GEORGE. Oh, however absurd the Senator thinks my position is, we do not grant the telephone company the right to use the public highway as a method of transportation. We do not grant the telephone company the right to use the public highway for the purpose to which the highway is dedicated. It is simply one of the incidental rights the municipality has over it.

Mr. COUZENS. We grant the right to a street-car company or taxicab company, and we grant exclusive rights to bus companies, too.

Mr. GEORGE. That is all very true.

Mr. COUZENS. So because we grant to one person, the Senator's contention that we have to grant to all is absurd, as I consider it.

Mr. GEORGE. I am sorry the Senator considers it absurd. A great many things in the judgment of the Senator are absurd,

but they are not in point of fact absurd at all. This is a public highway.

Mr. BARKLEY. Mr. President, I should like to continue.

Mr. GEORGE. I beg the Senator's pardon.

Mr. BARKLEY. The Senator from Georgia, carrying out his own theory, would not advocate on the part of a municipality the granting of a franchise to establish a street-car line over the public streets of a city to anybody who came and made application for it, although there might already be a street-car line in the street and although that street-car line might be sufficient to accommodate the people of that municipality.

Mr. GEORGE. The Senator knows a street-car line is a public obstruction within the streets.

Mr. BARKLEY. So is a bus.

Mr. GEORGE. Oh, no; it is not.

Mr. BARKLEY. The Senator has never tried to pass one of them on the highway, then.

Mr. GEORGE. It is not primarily an obstruction. It is a vehicle that moves with the traffic. The Senator knows that the public highway—

Mr. BARKLEY. The Senator from Georgia must know—

The VICE PRESIDENT. Senators will please talk one at a time.

Mr. GEORGE. I beg the Senator's pardon. I shall not undertake to talk in the Senator's time.

Mr. BARKLEY. I apologize for interrupting the Senator.

Mr. GEORGE. I could not very well talk in the Senator's time if he undertakes to talk continuously himself.

Mr. BARKLEY. Proceed. I yield.

Mr. GEORGE. The Senator also knows that the public highway, which is owned by States, counties, municipalities, or the Federal Government, is not a different thing from the streets within a single municipality.

Mr. BARKLEY. No; I do not think so.

Mr. GEORGE. The street-car tracks are permanent obstructions. They occupy definitely a particular part of the street; whereas the bus, if it be no larger than the private car, does no more than the private car. Do not understand me to say that I do not think that a State within its jurisdiction or the Federal Government within its jurisdiction should have the right to deny any bus line the use of its highways as a public carrier; but I do not see how the Senator can justify the granting of the privilege to one company to use the public highway for transportation purposes and deny it to any other company when that other company can comply with all the rules and regulations we may see fit to impose.

Mr. BARKLEY. Mr. President, my theory is that there is in principle no difference between a street and a highway, except that one is within the municipality, maintained by taxing the people of that municipality, and the other is maintained by the people of the county or the State or the United States. But they are both highways. They are both public highways. In principle there is no difference. They are all dedicated to the use of the people. No man has a right to use that highway as a private means of profit.

Mr. GEORGE. The Senator is quite right.

Mr. BARKLEY. Nobody has the right, as a matter of right, to use either the street or the highway out through the country belonging to all the people as a method of making money. It is a privilege that may be granted by the governing authority, in the city by the municipal council, and in the State by either the legislature or by some commission constituted by the legislature.

Mr. GEORGE. I take no issue at all with the Senator on those propositions, because I accept them in general as being correct. Within the municipality I certainly would not, as a member of the legislative body, grant to one bus line a privilege to operate that another bus line, which came and offered to comply with the identical conditions, might not likewise have.

Mr. BARKLEY. Assuming that nobody has a right as a matter of right to occupy or use a public highway or a street for private profit, and assuming that it is a privilege granted not for the convenience of the operator or the street-car system or the bus line, but a privilege granted because it is necessary for the convenience of the people, certainly the Senator would not advocate a policy which would make it necessary for the public highway or the street to be used by more grantees of that privilege than the public necessity or convenience might require. Certainly there ought not to be more street-car lines on any given street of any municipality than are needed for the convenience and transportation of the people. The mere fact that a man has a right to apply for that privilege ought not to make it mandatory upon the public authorities to grant it unless it is necessary, not only for the convenience of the people themselves but as a matter of good faith between the public authorities and those who have been granted the privilege. In other words,

we can not induce capital to go into the establishment of transportation lines unless there is a fair chance of compensation adequate for the risk.

Mr. PITTMAN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Nevada?

Mr. BARKLEY. I yield.

Mr. PITTMAN. I want to know if the Senator sees any distinction in the fact that, on the one hand, street-car lines and railroads are treated as public-utility corporations and the proper regulating body has authority to fix the rates they may charge, while on the other hand, under the terms of the bill now before us, the attempt is made to maintain the monopoly without granting to the Interstate Commerce Commission the right to fix rates.

Mr. BARKLEY. In the first place, the bill makes public utilities out of the bus lines by making them common carriers and therefore subject to regulation.

Mr. PITTMAN. I know, but they do not fix the rates.

Mr. BARKLEY. No; they do not fix the rates; neither does the Interstate Commerce Commission as a matter of practice fix the rates on the railroads. They have the right to fix minimum and maximum rates, but the rates charged by the railroads are initiated by the railroads themselves, and they are approved or disapproved by the Interstate Commerce Commission. But when the Interstate Commerce Commission disapproves a rate which has been initiated by a railroad, the Interstate Commerce Commission does not itself fix another rate as a substitute. It waits for the railroad to initiate another rate. It may intimate what a fair rate would be, but it waits for the railroad company to initiate another rate upon which it may later pass.

The bill now here, while it does not give the Interstate Commerce Commission the power to fix rates definitely, does say it has the power to see that the rates are just and reasonable.

Mr. PITTMAN. I know the Senator wants to be accurate, and one of us is in error.

Mr. BARKLEY. At first blush I would be the first to suggest that probably I am.

Mr. PITTMAN. As a matter of fact, the Interstate Commerce Commission is authorized by the transportation act of 1920 to fix rates.

Mr. BARKLEY. It is authorized to see that the rates are sufficiently high to bring a fair return upon the investment.

Mr. PITTMAN. That is not all.

Mr. BARKLEY. The rates are initiated primarily by the railroads.

Mr. PITTMAN. But not always. That is another place where the Senator is incorrect. The testimony in the recent hearings before the Interstate Commerce Commission showed that application was made to put in a rate of 67 cents on steel over a certain railroad line between certain points. The rate was fixed at 80 cents.

Mr. BARKLEY. Of course, the Senator will realize that where we embark upon the policy of undertaking by legislation to guarantee a fair return to the railroads we automatically confer a great deal more power on the Interstate Commerce Commission to see that the rates are maintained that would bring that result. That does not apply here because we are making no sort of guaranty.

Mr. PITTMAN. I agree with the Senator that under the transportation act of 1920 we adopted a system for the purpose of eliminating competition. Why? There are only two ways by which to have reasonable rates. One of them is through competition and the other is through a board or commission having the power to fix reasonable rates. We decided in 1920 that railroads should have what we call a certificate of public convenience and necessity—that is, if one railroad was supplying adequate transportation we would not let another one come in, at the same time removing competition, but not granting to the commission the right to fix rates.

Mr. BARKLEY. That was not brought about solely in order to limit competition. The Senator knows that in the heyday of railroad construction in the country many unprofitable railroads were built. Many thousands of American citizens were induced to subscribe to stock for the construction of railroads that ought never to have been built that were failures from the very beginning. A part of the reason which actuated Congress in requiring a certificate of convenience and necessity was to protect the public against any more wildcat railroad building which, in the very nature of the location and the character of the traffic, could not hope to be profitable.

Mr. PITTMAN. That might have been one of the reasons, but at the same time we protected the public against monopo-

listic rates. However, in the bill now before us and which we are now considering I find this language:

Nothing in this act shall be construed to authorize the commission to fix a rate, fare, or charge.

Mr. BARKLEY. Yes; that is true. That is the same provision which was in the act to regulate commerce. Congress never departed from that theory and that policy until Congress decided to write into the law a provision that should attempt at least to assure the owners of railroad stock a fair return upon their investment.

Mr. GLENN. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Illinois?

Mr. BARKLEY. I am glad to yield to the Senator.

Mr. GLENN. It seems to me the only interest the public has in the question of fixing rates is to see that they are just and reasonable. I do not know why they care to have the Interstate Commerce Commission write the schedules so long as the rates are not excessive. The bill provides, on page 23, that—

The rates, fares, and charges of such carriers for operations under any certificate of public convenience and necessity issued under this act shall be just and reasonable.

If the rates are kept just and reasonable who can complain when they can not under this provision be anything else than just and reasonable rates?

Mr. BARKLEY. That is the point I suggested, and to which I was coming a little later.

The controversy over the bill relates to the two propositions, whether the Interstate Commerce Commission shall be empowered or required to issue to any applicant a certificate of convenience and necessity before it may embark in the interstate bus business. I think that the requirement is reasonable. I think it is in the interest of the public. I think it is in the interest of those who are traveling over the highways in their own vehicles.

Believing as I do that the right to use a public highway which has been built by the people by taxation is a privilege to be conferred by the governing authority, I believe that the conferring of that privilege ought to be limited to those whose services are necessary in the interest of the people who have built the highways. In other words, if there is one bus line already in existence on an interstate highway which is serving the public, which is carrying all those who desire to travel by bus, and they are doing it with reasonable convenience and regularity, and the rates are just and reasonable, I do not believe any government, either national, State, or municipal, is under any moral or political obligation to grant somebody else the privilege to do that if their services are not needed in the interest of the public.

Mr. DILL. Mr. President, will the Senator yield?

Mr. BARKLEY. In just a moment. I come back to my original proposition that the public highways are primarily dedicated to those who have their own methods of travel, and no use of them for hire is privileged to be granted by the State or the municipality.

I yield now to the Senator from Washington.

Mr. DILL. The Senator in taking that position also believes that the monopoly which he would grant to a single bus line should not have its rates fixed by the Interstate Commerce Commission?

Mr. BARKLEY. I think the provision in the bill which requires that the rates should be just and reasonable gives the commission all the power that is necessary to be given. I do not believe the commission ought to be given the power to initiate and fix rates. The rate schedules ought to be filed with the commission, and the commission ought to have the power of veto over those rates, and that power of veto gives the commission all the power that I think is necessary now in order to protect the public against undue charges.

Mr. GLENN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Illinois?

Mr. BARKLEY. I yield.

Mr. GLENN. Is not that almost the universal practice followed by every utility commission of the 48 States which have such commissions? They do not write rate schedules.

Mr. BARKLEY. That is my understanding. The State commissions which regulate, as the Senator from Washington says, probably nine-tenths of the bus traffic in the United States, do not fix rates; there may be one or two that do; but, as a general rule, the utilities commissions of the States have power of veto over rates initiated by the bus lines; and this bill was framed

very largely as a composite of the State laws on the subject of the regulation of intrastate busses.

Mr. GLENN. Mr. President—

Mr. BARKLEY. I yield to the Senator.

Mr. GLENN. In the matter of fixing rates the provisions of this bill are in line with the usual activities of State commissions in connection with gas, light, water, power, and other utilities. None of the public utility commissions with which I have had any experience write schedules of rates. They have just the authority which is supposed to be given by this bill, namely, if rate schedules are unreasonable, of course, they can disapprove those schedules.

Mr. BARKLEY. If the commission is given the power originally to fix rates, it must enter into a long procedure as to what a fair rate would be before any rate has even been charged by the utility.

Mr. CARAWAY. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Arkansas?

Mr. BARKLEY. I yield.

Mr. CARAWAY. There are two questions, which doubtless the Senator has already discussed, but I unfortunately was not present, about which I desire to ask him. Under the terms of the pending bill, anybody would be in violation of it who hauled a passenger over a highway from one State to another unless he complied with the provisions of the bill, and that fact were recognized, and a certificate given him?

Mr. BARKLEY. Anybody who has an established bus line between a point in one State and a point in another State would have to come under its provisions, but it exempts busses engaged in hauling school children or teachers, taxicabs, and vehicles which are not on any regular schedule. If an isolated bus should make a trip from Arkansas into Tennessee, and charge a fare, I do not think this bill would cover it, because those operating it would not be establishing a bus line; they might make but the one trip.

Mr. CARAWAY. I do not see, though, why they would not fall within the provisions of the bill and be subject to be penalized for disobedience of it.

There is another question I wish to ask. Ordinarily the regulation of bus lines has been in the interest of the railroads and not in the interest of the traveling public—

Mr. BARKLEY. The only regulation thus far has been by States, and if what the Senator says is true, it is the fault of the States and not the fault of the Federal Government.

Mr. CARAWAY. Possibly so, but bus lines which have wanted to lower rates in order to get the traffic, have been required to raise their rates. Under the provisions of this bill, that is exactly what would happen, would it not, namely, the bus line would be compelled to raise its rates so as not to compete with the railroad?

Mr. BARKLEY. No; there is nothing in this bill that would require a bus line to charge the same rate as that charged by a railroad; and there is nothing in this bill that would require the Interstate Commerce Commission to require them to charge the same fare.

Mr. CARAWAY. But is not that back of the framing of the bill? Is not that in contemplation, and is not that what will happen?

Mr. BARKLEY. No, sir; I do not think so.

Mr. CARAWAY. I should be very much surprised if that should not happen.

Mr. COUZENS. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Michigan?

Mr. BARKLEY. I yield.

Mr. COUZENS. I think an examination of the bill will show that it specifically prohibits the commission, in connection with bus lines, from taking into consideration the conditions of operation on railroads.

Mr. BARKLEY. As one of the elements entering into a fair and just rate.

Mr. COUZENS. In other words, in considering the operation of bus lines, railroads may not be considered; the bill particularly exempts them, so as not to tie together the two methods of transportation.

Mr. BARKLEY. The bus line must show, upon its own standing, upon its own investment, on the character of its service, without regard to any other character of service rendered by anybody else, that its fares are just and reasonable, and if they are not based upon such premises the Interstate Commerce Commission is given the power to interpose its veto.

Mr. CARAWAY. It may be a necessity—I am not passing on that—but it is a regrettable fact that every means of transportation and every facility which the people may initiate to

take care of their interests finally must be regulated from Washington.

Mr. BARKLEY. I will state to the Senator that that condition may be regrettable, but I take the position, however much we may be wedded to local authority in the regulation of local matters, the complexity of American life has become such that we can not escape the responsibility of recognizing our duty in matters that are national and in matters that are linked up between States and can not be regulated by any local authority.

Mr. CARAWAY. I can not conceive that the use of the highways is so tied up.

Mr. WALSH of Montana. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Montana?

Mr. BARKLEY. I yield.

Mr. WALSH of Montana. The discussion, particularly the remarks of the Senator from Illinois, have prompted me to say that it seems to me we ought to profit by our experience in the effort to regulate the railroads. The original interstate commerce act provided, as does this bill, that rates must be just and reasonable. Under that provision when a rate was attacked as unjust or unreasonable and the Interstate Commerce Commission found perchance that it was unjust or unreasonable, that is all it could do; it could not determine what rate was reasonable, but only that the particular rate was unreasonable. That provision was found practically ineffective, until we were obliged to give the Interstate Commerce Commission not only the power to determine that a particular rate was unreasonable and unjust but to determine what rate was reasonable and just.

Mr. BARKLEY. Of course, the Senator will recognize—

Mr. WALSH of Montana. Let me proceed for a moment.

Mr. BARKLEY. Very well.

Mr. WALSH of Montana. Under that power, Mr. President, the Interstate Commerce Commission does not undertake to write rate schedules at all. The railroad companies continue to write the schedules which they file with the commission. Then, if anyone complains that a particular rate is unjust or unreasonable, or on its own motion, the Interstate Commerce Commission may institute an inquiry as to whether the rate is unjust or unreasonable, and, in that connection, it will find what rate is reasonable and what rate is just and declare that rate.

Why should not the commission be given exactly the same authority with respect to bus transportation, and why should we impose upon the Interstate Commerce Commission the duty of determining whether a certain rate is reasonable or unreasonable, and, finding that it is unreasonable, allow the bus company to establish another rate, which would again be challenged as being unreasonable, and a second inquiry instituted, and so go on ad infinitum, instead of giving the commission the power under such circumstances to determine the proper rate?

Mr. WAGNER. Mr. President, will the Senator permit an interruption?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from New York?

Mr. BARKLEY. I yield.

Mr. WAGNER. I was going to suggest to the Senator from Montana that that is the situation with reference to the power conferred upon all the State public utilities commissions.

Mr. WALSH of Montana. I was going to make that remark.

Mr. WAGNER. They not only determine the reasonableness of rates, but actually fix a rate which they regard as reasonable.

Mr. WALSH of Montana. I was going to make that remark in connection with the argument advanced by the Senator from Illinois. He is quite right that utilities commissions do not ordinarily fix rates; the utility company itself fixes its rates, but when some one challenges those rates as being unreasonable or unjust, the commission then institutes an inquiry, not alone on the question as to whether the particular rate is unjust or unreasonable, but an inquiry to establish what rate is just and what rate is reasonable.

It seems to me, Mr. President, that to invest the Interstate Commerce Commission with the power to determine simply whether a rate is just or reasonable will accomplish very little.

Mr. BARKLEY. Mr. President, of course the Senator is correct in the statement that prior to the transportation act the language of the act to regulate commerce was very similar to the language of the pending bill. It gave the commission power to see to it that rates were just and reasonable. A schedule of rates would be filed by a railroad, and if anybody complained against it, the commission entered into an inquiry to determine whether that schedule of rates was unjust and unreasonable. If the commission determined that it was unjust and unreasonable,

of course the railroad company had to come back then with a rate which the Interstate Commerce Commission would hold was reasonable and just.

Mr. WALSH of Montana. No.

Mr. BARKLEY. Because they could declare a second rate—

Mr. WALSH of Montana. Undoubtedly.

Mr. BARKLEY. They could declare a second rate fixed by the railroad unjust and unreasonable.

Mr. WALSH of Montana. Necessitating a second inquiry.

Mr. BARKLEY. It might necessitate a second inquiry, but it would finally whittle them down to a rate that would be fair and just, according to the Interstate Commerce Commission.

When we passed the transportation act we adopted an entirely different policy with reference to the railroads of the country. It was argued before the committees of Congress and before the committee of conference, of which I happened to be a member at the time the transportation act was framed—and it was very largely framed in conference by the conferees and not by either the Senate or the House—it was contended that, inasmuch as the Government of the United States exercises the power to regulate the rates charged upon railroads, as a corollary to that the railroads have the right to ask the Government to see to it that those rates are sufficiently high to bring in a fair return upon the investment of the stockholders in railroad properties.

The Interstate Commerce Commission does not now initiate rates; it does not now fix schedules of rates; it still goes through the same procedure through which it went prior to the enactment of the transportation act, except that now it does have more power to indicate what a just and reasonable rate is as compared to a rate fixed in a schedule filed by a railroad company.

So far as I am individually concerned, I would not quarrel with a provision in this bill which would be somewhat along the same line with reference to the regulation of busses; but we must take into consideration this, which I think presents a different situation: There is more variation in the character of bus business, taking the United States as a whole, than there is in the railroad business. The railroad business has been stabilized; transportation customs of railroads have been stabilized, and it is much easier for the Interstate Commerce Commission to fix a blanket of rates covering the entire United States, or a given portion of the United States, than it would be to fix a blanket of rates covering any large area of the country with respect to bus rates, because the traffic is different, the hauls are different, the density of population is different. So I think it would be much more difficult for the Interstate Commerce Commission to fix a schedule of rates with the power to initiate such rates or say specifically what they ought to be in each case than to do so with reference to the railroads.

I want to come now to another controversial matter.

Mr. DILL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Washington?

Mr. BARKLEY. I yield.

Mr. DILL. I want to call the Senator's attention to the operation of the requirement as to securing certificates of convenience and of necessity. In some States, at any rate, the commissions refuse to allow bus lines to be established because they think bus lines would interfere with the railroad business. They do not put it on that basis, but the fact that the railroads are always fighting the granting of such certificates results in the commissions not allowing bus lines to be established. I have particularly in mind a case in my State, where there for three years an effort has been made to establish a bus line from eastern Washington to western Washington, but we have never been able as yet to get a certificate of convenience and necessity because the railroad lines have always opposed it.

Mr. BARKLEY. The Senator will agree with me, I think, that that is not a matter with which we can deal; that is not a concern of the Federal Government. If the people of Washington have not sufficient power over their State authorities or their State public utilities commission to see to it that proper competition is guaranteed, I do not see how Congress can remedy that.

Mr. DILL. I simply point to that as an illustration of what happens when there is granted to a regulatory body the power to say whether or not a bus line shall exist. If the same situation prevails in other States—and I am sure it does, as well as in mine—it undoubtedly will occur in the case of the commission under this bill. The attitude of the commission in the matter of granting certificates of convenience and necessity to railroads amply proves what I say.

Mr. BARKLEY. I do not think the Senator can fairly impute to the Interstate Commerce Commission any laches with

reference to the performance of its duty. Such a thing may be imputed to some State commissions, as the Senator seems to do with reference to his own State public utilities commission, but I myself know nothing about that.

Mr. DILL. It may not be laches on the part of the Interstate Commerce Commission, but I do know that it results in the refusal to allow new railroads to be built.

Mr. BARKLEY. Congress authorizes them to do that.

Mr. DILL. Exactly.

Mr. BARKLEY. If a new railroad is not needed, if a new railroad has no fair chance of being profitable and serving the public, there is no real reason why it ought to be built just to exercise the muscles of those who build the tracks or are willing to invest their money.

Mr. DILL. If we had had such a provision of law, we never would have had half of the railroads in the West that we have to-day.

Mr. BARKLEY. That may be; but having built all the railroads that are needed, by and large—because the day of railroad building in this country is over—the activities of railroads now must be confined to improving the facilities they already possess. They have already invaded the forests and the deserts. They have already bridged the rivers and tunneled the mountains. There is no longer any virgin territory for railroad building in this country, except in a very limited degree.

Mr. DILL. But that point has not yet been reached in the development of the bus business; and what the minority of the committee is objecting to is the application of a rule that came about because it was believed that most of the railroad building that was necessary had been finished to a bus business that has only really begun to develop in this country.

Mr. BARKLEY. I think the Senator and all of us must keep in mind the difference between going out across private land and building a railroad and using for profit the public highways that belong to all the people, which I regard as a privilege to be granted or withheld as the public may see fit.

Mr. CARAWAY. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Arkansas?

Mr. BARKLEY. I do.

Mr. CARAWAY. Under the provisions of this bill, if a bus line be granted a certificate of convenience and necessity, does the Senator think that the power then lies to compel it to continue to operate that line, or may it cease to operate when it gets ready?

Mr. BARKLEY. The bill undertakes, as far as we think we have the power to go, to authorize the commission to put into effect such regulations as may be necessary to assure permanence of operation. Of course, I do not suppose we can pass any law that would compel any corporation to continue business if it wanted to cease under certain circumstances; but I think we have gone as far as we could go to protect the public against these fly-by-night organizations that come in during the busy seasons of the year and get the cream of the traffic, and then go out of business when bad weather comes.

Mr. CARAWAY. Oh, I think without question you have ample authority under this bill to keep anybody out; but, on the other hand, I was asking how far you thought you had the power to keep them in—to require somebody to stay out while giving to a company that has a franchise the right to continue under it, and then let that company cut down its service or suspend it altogether.

Mr. BARKLEY. I think there is full authority in this bill for the commission to prevent that; but in the very nature of things the Senator knows and all of us know that even the most successful corporations sometimes go out of business. They cease to operate. They may transfer their property to somebody else. I know of no way by law to guarantee that any organization will be perpetual.

Mr. CARAWAY. Oh, well, Mr. President—

Mr. BARKLEY. I do not want to misinterpret the Senator.

Mr. CARAWAY. That is all right.

Mr. WAGNER. Mr. President, will the Senator yield for a moment before he leaves the question of the fixation of rates?

Mr. BARKLEY. I yield.

Mr. WAGNER. The Senator contrasted this situation with the power which the Interstate Commerce Commission now has to fix the rates of railroads, and says that this task being so much more difficult, perhaps it would be an unfair imposition to compel the Interstate Commerce Commission to fix the rates in the case of the operation of bus lines.

Must they not perform that task anyway? No matter where these busses may operate, upon the complaint of a citizen the commission would have to go into the question as to whether or not a particular bus line is charging a reasonable rate; and in order to determine that question, of course, they must ascer-

tain what is a reasonable rate. After having ascertained what a reasonable rate of charge would be, however, you leave them without the power to fix that as the rate to be charged. In other words, you confer upon them no legislative power at all. The legislative power is the power to fix rates. The judicial power is merely the power to determine whether or not the rate charged is reasonable. The latter is the only power you have conferred upon them, which is ineffective.

Mr. BARKLEY. I will say to the Senator that neither the House nor the committee of the Senate felt that at this time it was wise to go that far in conferring this power on the Interstate Commerce Commission.

In the first place, while it is true that probably a larger proportion of the railroad business of the country is interstate, it is on the contrary true that a very preponderant amount of the bus business is intrastate. I believe about nine-tenths of the bus business of this country is intrastate, and it is regulated by the States in accordance with their own laws. Many of the State commissions—in fact, most of them—have urged this legislation; and I think it was drawn very largely along lines that were in harmony with the laws of the various States on the subject.

This bill undertakes to inject the Federal Government into an interstate situation just as little as is possible. It provides that in any controversy between two States with reference to regulation of bus travel and rates and practices, where two rates are involved, the matter may be left to a board created by the two States involved, drawn from their own public utility commissions. We have gone as far as we could to leave the determination of these controversies that arise over State lines with reference to the transportation of passengers by bus to local authorities or joint boards set up by them, so as to remove the complaint that the United States is undertaking to regulate all these local controversies that arise over State lines.

Mr. WAGNER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from New York?

Mr. BARKLEY. Yes.

Mr. WAGNER. You do, however, confer upon them the power to ascertain whether or not a rate charged is reasonable?

Mr. BARKLEY. Yes.

Mr. WAGNER. Perhaps I did not make myself clear. The thought I was trying to convey was, having given them that power, would it not be more effective to give them the power also, after having ascertained what a reasonable rate is, to fix that particular rate?

The ordinary experience would be that nothing would happen unless somebody complained about the exorbitant charge made by one of the companies. Then the commission would inquire whether that particular charge is reasonable or unreasonable. Whenever they conclude that investigation, they are powerless to do any more except to say, "You must charge a reasonable rate." Instead of leaving them in that impasse, why not give them the additional power to say to this particular company, "This is the charge which you must make as a reasonable charge?"

Mr. BARKLEY. That is a very legitimate and pertinent inquiry. I think probably the investigation which they would make in the first instance to determine whether a rate was reasonable or unreasonable would furnish the information that might enable them to fix a rate that would be reasonable. It is a question of individual opinion whether or not Congress ought to go that far. If the Senate sees fit to go that far in conferring this power on the commission, I shall not complain about it; but I am not convinced that in the present juncture of the bus business, with all the complex regulations of the various States on the subject, it is wise now to go that far in this legislation.

Mr. WAGNER. Mr. President, will the Senator yield further?

The VICE PRESIDENT. Does the Senator from Kentucky further yield to the Senator from New York?

Mr. BARKLEY. I do.

Mr. WAGNER. If I may make one more suggestion, I think that presents a difficult legal question, because a legislature is attempting to confer upon one of its agents the exercise of a purely judicial function. In other words, the fixation of rates is, as the Senator knows better than I do, a legislative function. The determination of the question as to whether or not the rate charged is reasonable is purely a judicial function.

Mr. BARKLEY. Of course, the Senator will realize that in the transportation act we also adopted another policy legislatively which was in harmony with the Shreveport decision which was very prominent in our discussions recently with reference to a distinguished citizen of the United States, that where a State commission fixes a rate on a railroad for intra-

state business that is so low as to place a burden on interstate business the Interstate Commerce Commission has the right to nullify that rate, and require that a rate shall be fixed that will be adequate for the service rendered within a State. In this bill we specifically seek to avoid that by saying in so many words that the Interstate Commerce Commission shall not have the power to nullify a State rate fixed for a State bus line, notwithstanding the fixing of that rate might in some way be construed to interfere with interstate commerce. We have not sought in this bill to go as far in superimposing the authority of the Nation over the bus business as we have gone in superimposing that authority in the regulation of railroad traffic.

Mr. WAGNER. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky further yield to the Senator from New York?

Mr. BARKLEY. I yield again, but I have already occupied more time than I had intended to occupy.

Mr. WAGNER. I will not disturb the Senator further; but I did not intend to suggest that the power conferred upon the commission should be expanded. My suggestion was that in those cases in which they have a right to determine as to whether or not the rate is reasonable, they also should have the power to fix a reasonable rate to be charged.

Mr. BARKLEY. Yes; I understand the Senator's position.

Mr. WAGNER. I had no desire to interfere with the exercise of any State function.

Mr. BARKLEY. Now, I want to talk for just a moment about the other controversial matter.

Mr. PINE. Mr. President, will the Senator yield for just one question?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Oklahoma?

Mr. BARKLEY. Yes.

Mr. PINE. As I understand this bill, we have eliminated competition, and the fixing of rates by competition.

Mr. BARKLEY. No; I do not think so.

Mr. PINE. Does the Senator maintain that we shall still have the fixing of rates by competition after the passage of this bill?

Mr. BARKLEY. I think there is nothing in this bill that prevents competition if competition is required. This bill simply covers into a preferred status for a period of 90 days those bus lines that already exist; and if within that period they file an application for a certificate of convenience and necessity, they may go ahead and operate until the commission shall order otherwise. The commission may order otherwise the next day, for any reason that may be sufficient to it, and put that bus line on the same status as if it were a new applicant. It has this preferred status for a period of 90 days only. After that the commission must consider the needs and necessities of the community sought to be served; and if they decide that more than one bus line is needed for the service of the people, they have the power to authorize as many bus lines as they see fit, or as the needs of the people may require. So, in my judgment, there is nothing in this bill that stifles competition or prevents competition, of course, subject to the regulation of the Interstate Commerce Commission.

Mr. PINE. If convenience and necessity require them to issue the certificate, then they issue it?

Mr. BARKLEY. Yes; but why should a bus line be allowed to run up and down a highway unless there is some necessity for it? Why should it run off the highway everybody else that has his own convenience unless it is needed? That is the very thing we are talking about.

Mr. PINE. Why should it not run, if it wants to run, on the public highways?

Mr. BARKLEY. If a bus line wants to go out on some private highway of its own, and run up and down the road until it has worn its wheels off, that is nobody's business but its own; but so long as a bus line is using a highway built by the people it has no right to use it except as it is needed for the convenience of the people. A bus company certainly has no right to fill the highways with a lot of busses that are not needed simply because somebody wants to establish such a line.

Mr. GLENN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Illinois?

Mr. BARKLEY. I do.

Mr. GLENN. Does not this bill as drawn, instead of stifling competition, expressly provide for competition where there is only one bus line, and provide that, upon application, another bus line must be granted authority to operate?

Mr. BARKLEY. Yes; and I object to that amendment, myself, because it requires the commission to put a bus line into operation whether it is needed or not, and that is the very thing I want to come to.

As the bill passed the House, it contained no such provision. It provided, in effect, that the commission had the power to survey the situation and decide, where there is one bus line, or more than one bus line, whether another one is needed, always keeping in view, I think, the welfare and convenience of the rest of the people who want to travel on the highways. We can not escape our responsibility or our duty to them.

The Senate committee provided in its amendment that, where there is only one bus line in existence, that fact itself shall be a mandatory condition which requires the commission to authorize the operation of another bus line, although it may not be needed.

I happen to know the situation in my part of the United States. I live in the little city of Paducah, out in western Kentucky, and there is now a bus line between Paducah and Memphis, Tenn., which would come under this interstate bus bill. There is a bus line between the city of Paducah and the city of St. Louis. There is also a bus line between Paducah and the city of Evansville, Ind. There is one between Paducah and Nashville. All of those are interstate busses.

I happen to know that none of those bus lines is now paying any profit. They were entered into by one of these venturesome spirits referred to a while ago by the Senator from Washington and myself, hoping that eventually traffic would increase to such an extent that the enterprises would be profitable; but now they are not profitable, and they are not making any money on their investment, although they are serving a great need in that part of western Kentucky, southern Illinois and Missouri, and western Tennessee, and up as far as Indiana.

Under this amendment of the Senate committee, if anybody else applies for a certificate of convenience and necessity to run a competitive bus line over the same highway, although the one now in existence is not profitable, the Interstate Commerce Commission is required to issue that certificate of convenience and necessity, merely because there is no other bus line in existence.

It is not permitted to take into consideration the need of the community. It can not take into consideration whether the people want another bus line or not. All it is empowered to inquire into is whether there is only one bus line, and if there is only one bus line, it is required to give a certificate for another one to start up.

We know that that sort of competition is not healthy competition. We know that that sort of competition will drive men out of business rather than invite them into it. If running over a State line there is a bus line which is not now profitable, one bus line which can not make any money, why should the commission be compelled to authorize the establishment of another line, which will make it still more difficult for the one originally in business, as well as the second one, to operate at a profit?

Mr. GLENN. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Illinois?

Mr. BARKLEY. I yield.

Mr. GLENN. Would it not also present a very strong inducement on the part of unscrupulous business men, where there was a profitable bus line with enough business to maintain one with some profit, to go into business there in competition for the purpose of being bought out by the one already in business?

Mr. BARKLEY. Yes; I think this provision lends itself to that sort of unscrupulous conduct. If some organization knows that there is only one bus line in existence over a highway, knows that the traffic on that highway is not sufficient to justify another, it may go into a conspiracy to make application deliberately for the purpose of bluffing somebody, or inducing some one to buy them out or buy them off; so that they would not pursue the application in good faith.

Mr. WALSH of Montana. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Montana?

Mr. BARKLEY. I yield.

Mr. WALSH of Montana. Does not this discussion really present, in a very concrete way, the two conflicting theories of monopoly with regulation and competition as a regulator of business?

Mr. BARKLEY. The Senator is right. This sort of legislation naturally brings to the front the question of policy whether it is better in some way to provide for monopoly with proper regulation, or take chances on wildcat competition producing the same conditions that would be brought about by competition.

Mr. WALSH of Montana. It will be remembered that when the railroads were originally projected, having in mind the canal system, it was contemplated that a line would be built and that anybody who wanted to run trains over the railroad would have an opportunity to do so. That was found to be an entirely

impracticable system, and was abandoned. But the canal system was long run, and in Europe it is run to-day, upon that system. Canals are built, and anybody who wants to run a boat on the canal system may do so, and it is generally regarded that by allowing free and open competition with respect to the matter we escape altogether the question of regulating rates. So with respect to the bus lines. Of course, it is not expected that anybody is going to start a bus line in opposition to one already running unless the projectors believe that they can make some money out of the operation, and they believe they can make some money by offering competition to the line already existing. Thus rates are reduced automatically without any regulation.

What is the reason for insisting that that sound principle of regulation of rates by competition should not be given perfect freedom of action with reference to bus lines? Why leave it to some regulative body to say, "These rates are just and reasonable, the service is plenty good enough," when a competing company going into the business for the purpose of making money says, "We would like to establish a competing line here, and we will carry passengers for less than what you say is a reasonable rate, and we think we can make money out of the operation."

What harm will come to the public by allowing free operation of the principle of competition in the operation of these bus lines?

Mr. BARKLEY. Mr. President, I will answer the Senator as it occurs to me. We will take a bus line which is established in good faith.

Mr. WALSH of Montana. Mr. President, will the Senator pardon me just a moment further?

Mr. BARKLEY. Certainly.

Mr. WALSH of Montana. With respect to railroads, the situation to my mind is somewhat different. We have adopted the principle of certificates of convenience and necessity in the case of railroads because the railroads establish their own rights of way. They run through certain country, and they develop that particular country, communities and cities are built along the line, and if another line came along and took away all of the business of the road, it would operate to the destruction of the cities built along that line, and result in general disaster. But is not this question with reference to the bus lines altogether different? They do not go into virgin territory and carve it out and build cities and towns, and establish communities, and that kind of thing. They establish themselves only in regions already developed, and developed to such an extent that they have good, hard-surfaced roads already running through the country. That is the situation which prompted, and which practically impelled us, to prevent, if I may use the word, the construction of railroads which would be competing with those already in existence. Are not the conditions entirely different, and are not the conditions which made that policy necessary with respect to railroads entirely wanting in the case of the bus?

Mr. BARKLEY. The conditions are entirely different, and that difference in conditions actuates me in arriving at a conclusion somewhat different from that which the Senator has reached, apparently.

The railroad which went out into virgin territory built its own track; it had the exclusive right to use that track; nobody else could use it except the railroad which built it.

If we were proposing to build at public expense highways for the busses to run over exclusively, I would say that that would present a different situation. But here is a question of allowing these bus lines to operate for profit on highways built by the people for their own use, primarily for their own use, and if it ever comes to a question where the public or the busses must abandon the highways, I think the busses would have to abandon them, and allow the public to use them as they were constructed for that purpose.

We have this situation in many sections of the country. A group of men will go into the bus business in good faith as a permanent investment and to render a permanent service to the people. There is now no power to prevent anybody else from coming in and occupying the whole territory, or any portion of it.

We will assume that for a season of three or four months some other group desires to come in, during the summer months, we will say, and operate a bus line for three or four months and participate in the cream of the traffic, until the conditions are less favorable, and then they, like the Arab, fold their tents and slink away, leaving the permanent bus line with its permanent investment, to operate the year around under unfavorable conditions. Certainly that kind of competition is unhealthy. While it may bring a temporary benefit to the public for three or four months by a reduction of summer rates between given

points on a bus line, taking the year around, when the people want service, and dependable service, I do not conceive that to be a healthy character of competition.

Mr. WALSH of Montana. Mr. President, will the Senator yield?

Mr. BARKLEY. In just a moment. It will not induce men to go into the bus business as a permanent investment, relying upon what I think they have a right to rely upon, namely, continuous traffic in so far as it may be needed in that section.

Mr. WALSH of Montana. Mr. President, it seems to me that situation could very easily be met by licensing the line upon condition that it give continuous service.

Mr. DILL. That is the proposal on the part of the men who oppose this measure.

Mr. GLENN. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Illinois?

Mr. BARKLEY. I yield.

Mr. GLENN. I believe the Senator from Montana has not taken into consideration a very important matter, one which seems to me to be perhaps the most important matter of all. That is the great congestion caused on many of the highways of the country by the busses, where there are two busses or three busses where only one bus could do the business.

We meet them on the highways, especially in the great cities, where they drive the private person operating his own car off the road. It seems to me that it is in the public interest to relieve that congestion as much as possible.

Mr. WALSH of Montana. I fully agree with the Senator, but that is a matter for police regulation, obviously, not to allow so much traffic on a road as to endanger human life. There ought to be some arrangement so that there would not be such traffic as would bring about a condition of congestion.

Mr. BARKLEY. Mr. President, that whole thing is involved in the question of convenience and necessity, whether such a bus line is necessary, whether the convenience of the people demands it, and that is really the primary consideration in the use of the public highways by anybody for hire.

Mr. WALSH of Montana. I look upon the question of convenience and necessity as quite different from the question of congestion.

Mr. BARKLEY. Of course, the question of congestion in a city or in contiguous territory wholly within a State is not what we are dealing with. We are talking about bus lines over which Congress has jurisdiction, and that is not wholly a matter of police regulation.

Mr. President, I have already occupied much more time than I had intended, and I do not wish to keep the Senate longer. I did want to give my views on these controversial matters.

Mr. BLAINE. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Wisconsin?

Mr. BARKLEY. I yield to the Senator.

Mr. BLAINE. I am quite in harmony with the suggestion of the Senator from Montana. The question of congestion upon the highways has nothing to do with the question of the certificate of convenience and necessity. The mere fact that there is congestion upon certain highways will not be justification for the commission denying a certificate of convenience and necessity.

Mr. BARKLEY. Just there, if the congestion is such on any interstate highway that the authorization of another bus line in addition to existing bus lines would add to that congestion, without serving the convenience and necessity of the people, I think it is involved in the whole question, as I suggested a moment ago.

Mere congestion on a highway by itself might not be involved in the question of convenience and necessity, but if it is unnecessary congestion, not to meet any reasonable need or requirement of the public, or to serve their convenience, then I think the commission would have the power and the right to deny a certificate to an applicant in a congested area unless the convenience and necessity of the public should require it.

Mr. BLAINE. In that case, of course, the certificate of convenience and necessity would not be granted because of the public demand for conveyances. The question of congestion might exist in conjunction with a very great demand for additional means of conveyance.

Mr. BARKLEY. I do not interpret the word "convenience" to apply simply to those who want to get on and off of busses. I think the word "convenience" applies to the whole public who travel the highway, and the commission would have the power to take that into consideration in determining whether another bus line was needed.

Mr. BLAINE. Mr. President, will the Senator permit another question?

Mr. BARKLEY. I yield.

Mr. BLAINE. It seems to me that the bill is the first step toward denying to the States the proper regulation of traffic upon the highways.

Mr. BARKLEY. I will say to the Senator that the bill is here because of the overwhelming, if not unanimous, request of all the States that Congress enact a law which will enable some regulation of interstate business to be brought about. They are now embarrassed because, while they have the power to regulate the bus business wholly within the States, they have no power to regulate any business that goes across State lines, and they have for five years been petitioning Congress to enact this sort of legislation.

Mr. BLAINE. That demand does not come from the people, and it does not come from the legislative arm of the State governments. It comes from certain commissions in the respective States who are subordinate to the legislatures.

Mr. BARKLEY. The commissions are the creatures of the legislature, and the legislature is the creature of the people, so, after all, they are supposed to speak for the people. The reason why they speak is because they say they are powerless to deal with the situation, that only Congress can deal with it, and that is why they ask us to deal with it.

Mr. BLAINE. The legislative tendency is to restrict the operation of busses. We had a recent illustration of that in the State of Ohio, where the State legislature restricted the length and size of busses, and the Federal court sustained that policy.

Mr. BARKLEY. Whenever such a situation arises, wherever the busses become too long or too wide so as to occupy the entire highway, so a man can not go up and down the highway in his automobile or on horseback or in a wagon or buggy, we will find the legislatures restricting the busses in their size. That is the very thing I have insisted on from the beginning—that the roads were built for the people for their own use and not to be filled up by busses.

Mr. BLAINE. But what is proposed by the bill now before us is to permit the Federal Government to occupy the field of regulation in interstate commerce. When we do that we are going to do it to the exclusion of our State legislative power and thereby we are destroying the police power of the States in the regulation of the use of the highways, which are built not by the Federal Government by any means, or in very small proportion, but largely out of the pocketbooks of the people of the States.

Mr. BARKLEY. Of course, Congress has the power, as the Senator knows, to regulate interstate commerce. The States can not do that. Everybody understands that, and that is why they ask us to do it. We have gone as far as possible in leaving the authority in the States, because we provide that in a controversy with reference to a bus line between two States it may be settled by a board composed of one member of each of the State public-utility commissions of the States involved. We have gone as far as possible to leave the control within the local authority.

Mr. PITTMAN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Nevada?

Mr. BARKLEY. I yield; but I still insist that I want to yield the floor.

Mr. PITTMAN. All right. If the Senator desires to yield the floor he may do so; but I think the Senator ought to be corrected in an error he just made when he said that all the State public-utility commissions have petitioned Congress.

Mr. BARKLEY. I said the overwhelming majority, if not all. I am certain that everyone did.

Mr. PITTMAN. I know that my own State opposed it very bitterly on the very ground stated by the Senator from Wisconsin [Mr. BLAINE].

I also wish to call attention to the fact that as I remember the act—the Senator is more familiar with it than I am—the State boards could only act as examiners and they can render no decision at all which is not subject to review and veto by the Interstate Commerce Commission.

Mr. BARKLEY. Of course the Senator understands that Congress can only make this board, composed of one member from each State, an agency of the Federal Government. It can not confer finally that jurisdiction upon the State, because only the Congress has the power.

Mr. PITTMAN. If we are going on with the debate I shall proceed; otherwise I will not do so.

Mr. COUZENS. Mr. President, I send to the desk three amendments to the pending bill which I ask to have printed and lie on the table.

The VICE PRESIDENT. The amendments will be printed and lie on the table.

Mr. BLAINE. I send to the desk a proposed amendment which I shall offer at the proper time. I ask that it may be printed and lie on the table.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

RELIEF OF FOREIGN SERVICE OFFICERS AND EMPLOYEES

Mr. PITTMAN. On behalf of the senior Senator from New Hampshire, Mr. MOSES, chairman of the conference committee, I present a conference report on House bill 10919, and ask for its present consideration. I will say that it is a complete agreement.

The report was read, considered, and agreed to, as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10919) entitled "An act for the relief of certain officers and employees of the Foreign Service of the United States, and of Elise Steiniger, housekeeper for Consul R. A. Wallace Treat at the Smyrna consulate, who, while in the course of their respective duties, suffered losses of Government funds and/or personal property by reason of theft, warlike conditions, catastrophes of nature, shipwreck, or other causes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, and 4, and agree to the same.

GEO. H. MOSES,
CLAUDE A. SWANSON,
KEY PITTMAN,

Managers on the part of the Senate.

H. W. TEMPLE,
JOSEPH W. MARTIN, Jr.,
J. CHAS. LINTHICUM,

Managers on the part of the House.

RIVER AND HARBOR BILL—CONFERENCE REPORT

Mr. JOHNSON. Mr. President, I ask leave to present the conference report on the river and harbor bill, with the statement that the bill is accepted by the House exactly as passed by the Senate. I ask that the conference report be read and agreed to. The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, and 105, and agree to the same.

HIRAM W. JOHNSON,
W. L. JONES,
CHAS. L. McNARY,
JOS. E. RANDELL,

Managers on the part of the Senate.

S. WALLACE DEMPSEY,
NATHAN L. STRONG,
J. J. MANSFIELD,

Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the report.

The report was agreed to.

SUITS FOR INFRINGEMENT OF PATENTS

Mr. DILL. Mr. President, I desire to make a very brief statement in connection with the bill (S. 4442) relating to suits for infringement of patents where the patentees are violating the antitrust laws. I should like to say that at the proper time I shall move to strike out the first section of the bill.

The elimination of the first paragraph will meet many of the objections that have been made. In this form the bill will create no new illegalities. It will merely provide that a violator of the Clayton or Sherman antitrust laws shall not be in a position to enforce his patents so long as he is violating those laws. He must come into court with clean hands. If he stops his violation of the antimonopoly laws, his right to go into court is automatically restored to him.

There is here no confiscation of patents and no forfeiture. It is merely as if we were to padlock a bootlegger's automobile so long as he is trying to use it to violate the prohibition law. It does not even go so far as the prohibition law in confiscating the lawbreaker's property.

In its amended form the bill will read as follows:

Be it enacted, etc., That it shall be a complete defense to any suit for infringement of a patent to prove that the complainant in such suit is using or controlling the said patent in violation of any law of the United States relating to unlawful restraints and monopolies or relating to combinations, contracts, agreements, or understandings in restraint of trade, or in violation of the Clayton Act or the Federal Trade Commission act.

SEC. 2. Where the defendant in any patent-infringement proceedings pleads any of the defenses set forth in section 1 hereof such defense or defenses and the issue or issues raised thereby shall be tried separately and judgment entered thereon prior to the hearing on any other issues raised by any other defenses.

The bill is written solely to provide protection against law-breakers. Its passage will end patent racketeering.

The bill is written to protect the independent inventors against the monopolies which are being built up under the pretense of an alleged patent situation. If those monopolies are perpetuated, the independent inventor will have only one market for his inventions. There is opposition to the bill among the members of the patent bar. These gentlemen are under a grave misapprehension. The bill is written to protect them, not to injure them. Unless the bill is passed and patent racketeering stopped, there will soon be little work for independent patent lawyers. The patent bar would then consist largely of the patent lawyers of the trusts, built around illegal combinations of patents in the various industries.

This legislation is the most important item of antimonopoly legislation now before the country. I ask permission to insert in the RECORD the text of the unanimous report of the Committee on Patents on the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

The report is as follows:

Mr. DILL, from the Committee on Patents, submitted the following report (to accompany S. 4442):

Your committee, to which was referred S. 4442, held full hearings on the bill and considered it carefully and desires to report it favorably without amendment. This bill is identical with S. 2783 of the Seventieth Congress, second session, reported favorably by the Senate Committee on Patents, with the exception that section 3 of this bill is new. This section provides that when any of the defenses set forth in sections 1 and 2 are pleaded by a defendant in a patent infringement suit, the issues thus raised shall be tried separately from and previous to the hearing of other issues raised by other defenses.

Your committee believes this is a valuable addition to the former bill, since it makes clear the procedure in cases of this kind.

This bill does not provide for forfeiture of patent rights because of violation of laws against restraint of trade and antitrust laws, but simply suspends the right of a patentee to enforce actions for infringement so long as the violation of the laws referred to continues. This suspension would continue just as long as the owner continued to violate the antitrust laws.

This bill places the burden of proof upon the person charged with the infringement of the patent. This means that if the combination is found to be guilty of violating the law by the use or control of its patents or the patents of others in a line of business closely connected, its patent is suspended until it has so reorganized its business that it is no longer guilty of that offense. That is to say, the bill simply compels the patentee who sues for infringement to come into court with clean hands and thus is a natural and proper use of the police powers of the Government.

This statute is intended to protect not only independent competitors of patent combinations that are illegal, but also those who are independent inventors in the arts. At the present time independent inventors often find it almost impossible to secure a market for their inventions. They must either sell their patents to an existing monopoly on whatever terms it decides to fix or they must find capital that will not be intimidated by the fear of having to fight a firmly entrenched monopoly and to carry on defensive litigation to prevent that monopoly from destroying the new invention.

The very fact that the Government has issued a patent to an inventor, an exclusive privilege, a monopoly, granting him the right, for 17 years, to exclude anyone else from manufacturing, using, or selling his invention should put upon such a patentee the burden of a scrupulous observance of the laws of the United States. It is particularly iniquitous if the holder of such a privilege should use it to violate the antitrust statutes or any other laws.

When the patent laws were written inventors exploited their own discoveries, usually alone. Now inventions are developed almost exclu-

sively by corporations, and we find that bankers and lawyers, instead of inventors, are the real beneficiaries of the patent laws. One of the results of this revolution in our industrial system has been a multiplicity of patents often covering trivial inventions—all with the purpose of blanketing an art and of making competition difficult, if not impossible.

Worse than this has been the effort to combine groups of patents, both important and trivial, to a point at which the very multiplicity of patents has made competition impossible. The very threat of patent-infringement suits has often been sufficient to prevent the entry of new capital in industry or even to keep out inventions which might contribute greatly to the progress of an art.

This bill is aimed to prevent such an abuse of the patent system. It has been charged that legislation of this character threatens to break down the patent system, upon which our industrial progress has been largely founded. This is not true. The destruction of the benefits of that patent system will be inevitable if those who abuse it to create illegal monopolies are permitted to continue to protect their infractions of the law under pretense of patent rights.

The Clayton law was written largely because the Supreme Court held that the prohibitions of the Sherman Act did not prohibit contracts containing tying or restrictive clauses based on manufacture, sale, or use of patented articles. It was to cure that defect that Congress wrote the Clayton Act and forbade such agreements, whether based on patented or unpatented devices.

Just as the Sherman law was at that time not sufficient to protect the freedom of competition from combinations in American business and industry, we now find that the Clayton law seems not to be broad enough to cover the newest forms of patent abuses.

RENEWAL OF PASSPORTS

Mr. WAGNER. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 10826) to provide for the renewal of passports. It simply provides a reduction in the charge for passports from \$10 to \$5.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to regulate the issue and validity of passports, and for other purposes," approved July 3, 1926 (U. S. C., Supp. III, title 22, sec. 217a), is amended to read as follows:

"Sec. 2. That the validity of a passport or visa shall be limited to a period of two years: *Provided*, That the Secretary of State may limit the validity of a passport or visa to a shorter period and that no immigration visa shall be issued for a longer period than that specified in the immigration act of 1924 or amendments thereto: *And provided further*, That a passport may be renewed, upon the payment of \$2 under regulations prescribed by the Secretary of State, for periods of not to exceed two years each, but the final date of expiration shall not be more than six years from the original date of issue: *And provided further*, That the charge for the issue of an original passport shall be \$5."

MARKER AT JASPER SPRING, GA.

Mr. GEORGE. Mr. President, I ask unanimous consent to take from the calendar Order of Business No. 990, the bill (H. R. 10209) authorizing the appropriation of \$2,500 for the erection of a marker or tablet at Jasper Spring, Chatham County, Ga., to mark the spot where Sergt. William Jasper, a Revolutionary hero, fell. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the sum of \$2,500, or so much thereof as may be necessary, is hereby authorized to be appropriated, to be expended under the direction of the Secretary of War, for erection of a marker or tablet at Jasper Spring, Chatham County, Ga., to mark the spot where Sergt. William Jasper, a Revolutionary hero, fell and to mark that battle field.

Sec. 2. The Secretary of War is authorized to do all things necessary to accomplish said purpose, by contract or otherwise, with or without advertising, under such conditions as he may prescribe, including the engagement, by contract, of services of such architects, sculptors, artists, or firms or partnerships thereof, and other technical and professional personnel as he may deem necessary without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States, and to spend in accordance with the provisions of this act such sum of money as may be placed in his hands as a contribution additional to the funds appropriated by Congress.

Sec. 3. The plan and design of such tablet or marker shall be subject to the approval of the National Commission of Fine Arts.

SEC. 4. The title to the land deemed appropriate for the site shall be vested in Chatham County, Ga., and care of the site and monument shall be without expense to the Federal Government.

EXECUTIVE MESSAGES AND APPROVALS

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries, who also announced that the President had approved the following acts:

On June 23, 1930:

S. 3619. An act to reorganize the Federal Power Commission; S. 4518. An act granting the consent of Congress to the Texarkana & Fort Smith Railway Co. to reconstruct, maintain, and operate a railroad bridge across Little River in the State of Arkansas at or near Morris Ferry; and

S. 4606. An act granting the consent of Congress to the State of Georgia and the counties of Wilkinson, Washington, and Johnson to construct, maintain, and operate a free highway bridge across the Oconee River at or near Balls Ferry, Ga.

SECOND DEFICIENCY APPROPRIATIONS

Mr. JONES. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate proceed to the consideration of the second deficiency appropriation bill.

There being no objection, the Senate proceeded to consider the bill (H. R. 12902) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. JONES. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be disposed of first.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Legislative," on page 2, after line 3, to insert:

SENATE

To pay William A. Folger for extra and expert services rendered the Committee on Pensions as assistant clerk to said committee, by detail from the Bureau of Pensions, fiscal year 1930, \$600.

The amendment was agreed to.

The next amendment was, on page 2, after line 8, to insert:

For payment to Henry M. Barry for clerical services rendered the Joint Committee on Aerial Coast Defense, and the Joint Commissions on Airports, and Insular Reorganization, fiscal year 1930, \$1,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 12, to insert:

Contingent expenses: For miscellaneous items, exclusive of labor, fiscal year 1930, \$30,000.

The amendment was agreed to.

Mr. JONES. From the Committee on Appropriations, I desire to offer the amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be reported.

The CHIEF CLERK. On page 2, after line 14, insert:

Not to exceed \$750 may be paid out of the contingent fund of the Senate, miscellaneous items, fiscal year 1931, for medical supplies, equipment, and contingencies for the emergency room and for the attending physician.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. JONES. Also I offer another committee amendment on the same page.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 21, strike out "\$5,035.15" and insert "\$7,535.15," so as to read:

Contingent expenses: For stenographic reports of hearings of committees other than special and select committees, fiscal year 1930, \$7,535.15.

The amendment was agreed to.

The next amendment was, under the heading "Architect of the Capitol," on page 5, after line 11, to insert:

The appropriation "Equipment, Capitol power plant, 1929-30" is made available to cover architectural services under contract with Pierson & Wilson, in an amount not to exceed \$2,700.

The amendment was agreed to.

The next amendment was, on page 5, after line 15, to strike out:

Capitol power plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, etc., including the same objects specified under this head in the legislative appropriation act for the fiscal year 1930, fiscal years 1930 and 1931, \$22,054.63.

And in lieu thereof to insert:

Capitol power plant: For equipment of the Capitol power plant, including the same objects specified under this head in the act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1930, to continue available during the fiscal year 1931, \$22,054.63.

The amendment was agreed to.

The next amendment was, under the heading "Botanic Garden," on page 6, line 10, to strike out "\$341,378.68" and insert "\$404,190.68," so as to read:

Enlargement and relocation: For carrying out the provisions of paragraphs 1 and 2 of section 1 of the act entitled "An act to provide for enlarging and relocating the United States Botanic Garden, and for other purposes," approved January 5, 1927 (44 Stat. 931), and for razing buildings upon the site selected, fiscal years 1930 and 1931, \$404,190.68.

The amendment was agreed to.

The next amendment was, on page 6, after line 10, to insert:

LIBRARY OF CONGRESS

Index to the Federal Statutes: To enable the Librarian of Congress to revise and extend the index to the Federal Statutes, published in 1908 and known as the Scott and Beaman Index, to include the acts of Congress down to and including the acts of the Seventy-first Congress, and to have the revised index printed at the Government Printing Office, as authorized and directed by the act approved March 3, 1927, as amended June 14, 1930, fiscal year 1931, to remain available until expended, \$50,000.

The amendment was agreed to.

The next amendment was, at the top of page 7 to insert:

EXECUTIVE

Investigation of enforcement of prohibition laws: For the exclusive purpose of continuing the inquiry into the problem of the enforcement of the prohibition laws of the United States, pursuant to that particular provision of the first deficiency act, fiscal year 1929, to be available for such inquiry only notwithstanding the provisions of any other act, and to be expended under the authority and by the direction of the President of the United States, who shall report the results of such investigation to Congress, together with his recommendations with respect thereto, fiscal year 1931, \$50,000, together with the unexpended balance of the appropriation for this purpose as contained in the first deficiency act, fiscal year 1929, which shall remain available until June 30, 1931.

Mr. JONES. Mr. President, I will ask that the amendment be passed over. The Senator from Virginia [Mr. GLASS] is interested in it, and has to be away at this time.

I also desire to offer at this time and have printed an amendment in the nature of a motion to strike out and insert.

The VICE PRESIDENT. The amendment at the top of page 7 will be passed over temporarily. The amendment offered by the Senator from Washington will be printed and lie on the table.

The next amendment of the Committee on Appropriations was, on page 8, after line 19, to insert:

Individual records, civil-service retirement and disability fund: For the preparation and maintenance by the departments and independent establishments of the individual record of deductions made from the salary of each employee for credit to the civil-service retirement and disability fund required by section 12 (a) of the act approved May 29, 1930, fiscal year 1931, \$150,000: *Provided*, That the President, in his discretion, is authorized to allocate such portions of this amount as he may deem to be necessary to any executive department or independent establishment for credit to appropriations available for personal services in the District of Columbia, printing and binding, and the procurement of mechanical equipment: *Provided further*, That a report of the amount so allocated shall be made in the Budget for the fiscal year 1932.

Mr. JONES. On behalf of the Committee on Appropriations I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 11, after line 18, insert:

FEDERAL POWER COMMISSION

For an additional amount for the Federal Power Commission, including the same objects specified under this head in the independent offices act, 1931, and including five commissioners at \$10,000 each, and rent, not to exceed \$20,000, in the District of Columbia, provided space

in Government buildings is not available, \$111,920, of which not to exceed \$82,920 shall be available for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "General Accounting Office," on page 12, after line 7, to insert:

Investigation and audit of transactions of the Indians of the State of New York: For salaries and expenses including subsistence and transportation, printing and binding, to enable the Comptroller General of the United States to investigate and audit the transactions on account of the Indians of the State of New York, and to report thereon, as directed in S. Res. 248 of April 16, 1930, and pursuant to section 312 (b) of the Budget and accounting act, 1921, fiscal year 1930, to continue available during the fiscal year 1931, \$25,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 21, to strike out:

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For each and every purpose requisite for and incident to the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of the act entitled "An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital," approved May 29, 1930; personal services in the District of Columbia and elsewhere, including technical real estate services at rates of pay to be fixed by the commission and not exceeding those usual for similar services and without reference to civil-service rules and the classification act of 1923, as amended; travel expenses; purchase of two passenger-carrying automobiles at not to exceed \$1,000 each and the operation and maintenance thereof; survey, searching of titles, and all other costs incident to the acquisition of land, reimbursements to be made as prescribed in such act, \$1,000,000, to remain available until expended: *Provided*, That the reimbursement to be made to the United States by the District of Columbia for advances under section 4 of such act of May 29, 1930, shall commence on June 30, 1932, instead of on June 30, 1931, as provided in such section.

The amendment was agreed to.

The next amendment was, under the heading of "Porto Rican Relief," on page 15, line 24, after the word "commission," to strike out "with the approval of the Governor of Porto Rico," so as to read:

For the employment of labor and the purchase of supplies, materials, and equipment for repairing and constructing insular roads, \$1,000,000, to remain available until expended and to be disbursed by the Porto Rican Hurricane Relief Commission.

The amendment was agreed to.

The next amendment was, on page 17, after line 8, to insert:

TARIFF COMMISSION

The unexpended balances, on June 30, 1930, of the appropriations "For salaries and expenses of the United States Tariff Commission, fiscal year 1930," and "For all printing and binding for the Tariff Commission, fiscal year 1930," shall remain available for the objects specified under these heads in the "independent offices act, 1931," during the fiscal year 1931.

The amendment was agreed to.

The next amendment was, on page 18, after line 3, to insert:

UNITED STATES-YORKTOWN SESQUICENTENNIAL COMMISSION

For carrying out the provisions of Public Resolution No. 89 of the Seventy-first Congress, approved June 17, 1930, entitled "Providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes," as follows: For personal services in the District of Columbia and elsewhere, without reference to the classification act of 1923, as amended, and civil-service regulations, traveling expenses, furniture and equipment, supplies, printing and binding, rent of buildings in the District of Columbia, and all other expenditures authorized by the above act, fiscal year 1931, \$8,000.

The amendment was agreed to.

The next amendment was, under the heading "District of Columbia," on page 19, after line 21, to insert:

PUBLIC SCHOOLS

School building and playground sites: Not exceeding \$116,500 of the unexpended balances of appropriations for school buildings and playground sites contained in the District of Columbia appropriation acts

for the fiscal year 1929 and the fiscal year 1930 is continued available until June 30, 1931.

The amendment was agreed to.

The next amendment was, under the subhead "Health department," on page 20, after line 20, to insert:

Garfield Memorial Hospital: For isolating wards for minor contagious diseases at Garfield Memorial Hospital, maintenance, fiscal year 1928, \$2,440.80.

The amendment was agreed to.

The next amendment was, at the top of page 21, to insert:

Providence Hospital: For isolating wards for minor contagious diseases at Providence Hospital, maintenance, for the fiscal years and in amounts as follows: Fiscal year 1928, \$2,000; fiscal year 1929, \$2,598.

The amendment was agreed to.

The next amendment was, under the subhead "Courts and prisons," on page 22, after line 6, to insert:

Salaries: For two additional associate justices at \$10,000 each; two stenographers, one for each of the two additional associate justices, \$5,200; in all, fiscal year 1931, \$25,200.

The amendment was agreed to.

The next amendment was, on page 22, after line 10, to insert:

Pay of bailiffs: For an additional amount for pay of bailiffs, fiscal year 1931, \$6,480.

The amendment was agreed to.

The next amendment was, on page 22, after line 12, to insert:

Repairs and improvements, courthouse: For an additional amount for repairs and improvements to the courthouse, including equipment and other objects of expenditure specified under this head in the District of Columbia appropriation act for the fiscal year 1930, fiscal year 1931, \$22,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 3, to insert:

Court of appeals, salaries and expenses: For two additional justices at \$12,500 each; for other personal services, \$7,720; for repairs and improvements to the Court of Appeals Building, including equipment, \$7,500; in all, fiscal year 1931, \$40,220.

The amendment was agreed to.

The next amendment was, on page 24, after line 8, to insert:

Columbia Hospital and lying-in asylum: For repairs and improvements to the Columbia Hospital for Women and lying-in asylum, including repair of elevators, replacement of linoleum, and painting and plastering, to be expended in the discretion and under the direction of the Architect of the Capitol, fiscal year 1930, to continue available until June 30, 1931, \$20,000.

The amendment was agreed to.

The next amendment was, under the heading "Department of Agriculture," on page 28, after line 8, to insert:

BUREAU OF PLANT INDUSTRY

Phony peach eradication: For additional amount for the investigation, eradication, and control of the phony peach disease, including the same objects specified under this head in the agricultural appropriation for the fiscal year 1931, \$80,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 23, to insert:

BUREAU OF ENTOMOLOGY

Purchase of collection of moths and butterflies, etc.: To enable the Secretary of Agriculture to purchase the collection of moths and butterflies of the late Dr. William Barnes, of Decatur, Ill., including scientific notes, card catalogue, and other appurtenances thereto, fiscal year 1930, to remain available until June 30, 1931, \$50,000.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Biological Survey," on page 29, after line 11, to insert:

Cheyenne Bottoms Migratory Bird Refuge: To enable the Secretary of Agriculture to carry into effect the provisions of the act entitled "An act authorizing the establishment of a migratory bird refuge in the Cheyenne Bottoms, Barton County, Kans.," approved June 12, 1930, including not to exceed \$4,220 for personal services in the District of Columbia, fiscal year 1931, \$50,000, which sum is a part of \$250,000 authorized to be appropriated by section 3 of act: *Provided*, That the Secretary of Agriculture may incur obligations and enter into contracts for the acquisition of lands in connection with this project to an amount which, inclusive of amounts that may be expended hereunder, shall not exceed a total of \$250,000, and such contracts shall be deemed contractual obligations of the Federal Government.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Agricultural Economics," on page 30, after line 8, to insert:

Perishable agricultural commodities act: To enable the Secretary of Agriculture to carry into effect the provisions of the act entitled "An act to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce," approved June 11, 1930, including personal services, printing and binding, and rent in the District of Columbia, fiscal year 1931, \$50,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 18, page 34.

Mr. JONES. I offer the amendment which I send to the desk, to come in on page 34, after line 18.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The CHIEF CLERK. On page 34, after line 18, it is proposed to insert the following:

Additional land: To enable the Secretary of Commerce to acquire by purchase, condemnation, or otherwise, not to exceed 17 acres of land, including improvements thereon, adjacent to the present site of the Bureau of Standards to enlarge its present site, as authorized in the act entitled "An act authorizing the purchase by the Secretary of Commerce of additional land for the Bureau of Standards of the Department of Commerce," approved June 23, 1930, at a cost not to exceed \$400,000, and to remain available until expended, \$400,000.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 20 on page 25.

Mr. JONES. I offer the amendment which I send to the desk, to come in on page 35, after line 20.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The CHIEF CLERK. On page 35, after line 20, it is proposed to insert the following:

Public works: For an additional amount covering the same objects specified under this head in the act making appropriations for the Department of Commerce for the fiscal year 1931, to carry out that part of the act approved June 18, 1930 (Public Act No. 388, 71st Cong.), authorizing the acquisition of additional land contiguous to the present site of the lighthouse depot at Chelsea, Mass., to remain available until expended, \$70,000.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the heading "Bureau of Fisheries," on page 35, after line 21, to insert:

Propagation of food fishes: For an additional amount covering the same objects specified under this head in the act making appropriations for the Department of Commerce for the fiscal year ending June 30, 1931, \$25,000, of which amount not to exceed \$17,740 may be expended for personal services in the District of Columbia and elsewhere.

The amendment was agreed to.

The next amendment was, on page 36, after line 2, to insert:

Inquiry respecting food fishes: For an additional amount covering the same objects specified under this head in the act making appropriations for the Department of Commerce for the fiscal year ending June 30, 1931, \$42,000, of which amount not to exceed \$16,800 may be expended for personal services in the District of Columbia and elsewhere.

The amendment was agreed to.

The next amendment was, on page 36, after line 8, to insert:

Fishery industries: For an additional amount covering the same objects specified under this head in the act making appropriations for the Department of Commerce for the fiscal year ending June 30, 1931, \$24,000, of which amount not to exceed \$9,600 may be expended for personal services in the District of Columbia and elsewhere and \$1,250 is available for the purchase, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles.

The amendment was agreed to.

The next amendment was, on page 36, after line 16, to insert:

Construction of stations: To establish, or to commence the establishment, of Bureau of Fisheries stations as follows, authorized by the act entitled "An act to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries," approved May 21, 1930, at not to exceed the costs therein specified: A fish-cultural station in each of the States of New Mexico, Louisiana, and Idaho; a fish-cultural substation in each of the States of Wisconsin,

Montana, Colorado, and New Hampshire; a fish laboratory in the State of Washington, including architectural services, by contract or otherwise, at a fee not exceeding that usual for such service, without regard to civil service laws, rules, and regulations, or to the classification act of 1923, as amended, or to section 3709 of the Revised Statutes of the United States; and an experimental bass and trout station in the State of Maryland or West Virginia; including the acquisition of land, construction of buildings and ponds, water supply, improvements to grounds, purchase of equipment, power lines, and all necessary expenses connected with construction and installation of fixed equipment, \$265,000, to remain available until June 30, 1932.

The amendment was agreed to.

The next amendment was, under the subhead "Patent Office," on page 37, line 20, after the figures "1930," to insert a comma and the words "and to continue available during the fiscal year 1931, \$40,000," so as to read:

Photolithographing: For an additional amount for producing copies of weekly issue of drawings of patents and designs, etc., including the same objects specified under this head in the act making appropriations for the Department of Commerce for the fiscal year 1930, and to continue available during the fiscal year 1931, \$40,000.

The amendment was agreed to.

The next amendment was, under the heading "Department of the Interior, Contingent Expenses," on page 38, after line 4, to insert:

For an additional amount for contingent expenses of the Bureau of Pensions, including stationery, office supplies, furniture, and typewriters, fiscal year 1931, \$5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Indian Affairs," on page 41, after line 9, to insert:

Construction of fish ladder, Wapato irrigation project, Yakima Reservation, Wash. (reimbursable): For construction, in cooperation with the Department of Commerce, of a fish ladder and power transmission line to conserve the fish life, Wapato irrigation project, Yakima Reservation, Wash., reimbursable under such rules and regulations as the Secretary of the Interior may prescribe, fiscal year 1931, \$5,000.

The amendment was agreed to.

The next amendment was, on page 43, after line 15, to insert:

For an additional amount for a central heating plant at the Tacoma hospital, Washington, fiscal year 1931, \$38,000.

The amendment was agreed to.

The next amendment was, on page 44, after line 6, to insert:

BUREAU OF PENSIONS

Salaries: For an additional amount for temporary employees in the District of Columbia, fiscal year 1931, \$100,000.

The amendment was agreed to.

The next amendment was, on page 44, after line 10, to insert:

Salaries and expenses, employees' retirement act: For an additional amount for salaries and expenses, including the same objects specified under this head in the Interior Department appropriation act for the fiscal year 1931, and including not to exceed \$15,000 for temporary employees, fiscal year 1931, \$28,000.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses, Department of Justice," on page 49, after line 8, to insert:

The amount of the appropriation for enforcement of narcotic and national prohibition acts contained in the act making appropriations for the Treasury Department for the fiscal year 1931, approved May 15, 1930, that is apportioned and transferred to the Bureau of Prohibition in the Department of Justice, pursuant to the prohibition reorganization act of 1930, approved May 27, 1930, shall be available also for rent in the District of Columbia if space can not be assigned by the Public Buildings Commission in buildings under the control of that commission.

The amendment was agreed to.

The next amendment was, under the heading "Judiciary," at the top of page 51, to insert:

COURT OF CUSTOMS AND PATENT APPEALS

Salaries: For an additional amount for salaries of officers and employees of the court, fiscal year 1931, \$2,000.

Printing and binding: For printing and binding, fiscal year 1931, \$3,500, and in addition to said sum there are hereby transferred to this appropriation and made available for the purposes specified therein, from the appropriations "printing and binding, Treasury Department, 1931," \$1,600, and from "printing and binding, Department of Justice and courts, 1931," \$1,500.

The amendment was agreed to.

The next amendment was, under the heading "Department of Labor," on page 57, after line 12, to insert:

BUREAU OF LABOR STATISTICS

Salaries and miscellaneous expenses: The unexpended balances of the appropriations of \$32,000 for salaries, Bureau of Labor Statistics, 1930, and \$5,000 for miscellaneous expenses, Bureau of Labor Statistics, 1930, provided in the first deficiency act, fiscal year 1930, approved March 26, 1930, are hereby continued and made available for similar purposes until June 30, 1931.

The amendment was agreed to.

The next amendment was, under the heading "Navy Department," on page 58, line 10, before the words "House Document," to insert "Senate Document No. 168 and"; and at the end of line 11, to strike out "\$8,395.39" and insert "\$8,690.69," so as to read:

OFFICE OF THE SECRETARY

Claims for damages by naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the act entitled "An act to amend the act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels," approved December 28, 1922 (U. S. C., title 34, sec. 599), as fully set forth in Senate Document No. 168 and House Document No. 423, Seventy-first Congress, \$8,690.69.

The amendment was agreed to.

The next amendment was, on page 58, after line 18, to insert:

Operation and conservation of the naval petroleum reserves: Not to exceed \$15,000 of the amount of \$175,000 for "Operation and conservation of the naval petroleum reserves, 1931," contained in the naval appropriation act for the fiscal year 1931, is hereby made available for the payment of clerical, technical, and custodial services of field employees.

The amendment was agreed to.

The reading of the bill was continued to the end of line 19, on page 59.

Mr. JONES. Mr. President, I offer an amendment to come in on page 59, after line 19.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The CHIEF CLERK. On page 59, line 19, it is proposed to strike out "fiscal years 1930 and 1931."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was under the heading "Department of State," at the top of page 63, to insert:

Contingent expenses, foreign missions: For an additional amount for contingent expenses, foreign missions, including the same objects specified under this head in the act making appropriations for the Department of State for the fiscal year 1931, \$50,000.

The amendment was agreed to.

The next amendment was, on page 69, after line 2, to insert:

Joint investigation of the fisheries of Passamaquoddy and Cobscook Bays by United States and Canada: For the share of the United States of the expenses of an investigation to be made jointly by the United States and Canada of the probable effects of proposed international developments to generate electric power from the movement of the tides in Passamaquoddy and Cobscook Bays on the fisheries of that region, including travel and subsistence or per diem in lieu of subsistence, compensation of employees, stenographic and other services, by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), rent in the District of Columbia or elsewhere, printing and binding, purchase of supplies and materials and necessary equipment, charter of vessels, and such other expenses as may be authorized by the Secretary of State, to be disbursed under the direction of the Secretary of State, fiscal year 1931, \$22,500.

The amendment was agreed to.

The next amendment was, on page 69, after line 19, to insert:

Sixth Pan American Child Congress, Lima, Peru: For the expenses of participation by the Government of the United States in the Sixth Pan American Child Congress, to be held in Lima, Peru, July, 1930, as provided by the public resolution approved June 13, 1930, including travel expenses, subsistence or per diem in lieu of subsistence (notwithstanding the provisions of any other act), printing and binding, compensation of employees, stenographic and other services and purchase of materials for exhibit by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), rent, official cards, entertainment, preparation, transportation, installation and demonstration of an exhibit, and such other expenses as the President may deem proper, to be available for expenses incurred on and after May 13, 1930, and to remain available until June 30, 1931, \$13,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public Health Service," on page 75, after line 2, to insert:

Studies in rural sanitation: For an additional amount for studies in rural sanitation, including the same objects specified under this head in the act making appropriations for the Treasury Department for the fiscal year 1931, \$130,500: *Provided*, That no part of this appropriation shall be available for demonstration work in rural sanitation in any community unless the State, county, or municipality in which the community is located agrees to pay one-half of the expenses of such demonstration work.

The amendment was agreed to.

The reading of the bill was continued to the end of line 22, on page 95.

Mr. JONES. I offer the amendment, which I send to the desk, to come in on page 95.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The CHIEF CLERK. On page 95, beginning in line 23, it is proposed to strike out the following clause:

Las Vegas (Nev.) post office, etc.: For construction of a building, under an estimated total cost of \$200,000: *Provided*, That the building shall be so constructed that accommodation for the courts may be added later.

And in lieu thereof to insert:

Las Vegas (Nev.) post office, courthouse, etc.: For construction of a building under an estimated total cost of \$300,000.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 17, on page 102.

Mr. JONES. On page 102 I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The CHIEF CLERK. On page 102, in line 11, it is proposed to strike out the words "said railroad company" and in lieu thereof to insert "Pennsylvania Tunnel & Terminal Railroad Co."

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Washington.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the heading "War Department—Military activities, Quartermaster Corps," on page 120, after line 3, to insert:

Acquisition of land, Fort Bliss, Tex.: For the acquisition of additional land in the vicinity of and for use in connection with the present military reservation at Fort Bliss, Tex., fiscal year 1931, to remain available until expended, \$281,305.

The amendment was agreed to.

The next amendment was, on page 20, after line 12, to insert:

For the construction of a revetment wall at Fort Moultrie, S. C., in accordance with the act approved June 2, 1930, fiscal year 1931, \$25,000.

The amendment was agreed to.

The next amendment was, under the heading "War Department—Nonmilitary activities, Quartermaster Corps," on page 124, after line 16, to insert:

For all expenses incident to the study, investigation, and survey of the battle field of Saratoga, N. Y., as authorized by the act approved June 2, 1930, fiscal year 1931, \$4,400.

The amendment was agreed to.

The next amendment was, one page 125, after line 15, to insert:

Gulford Courthouse National Military Park, N. C.: for an additional amount for continuing the establishment of a national military park at the battle field of Gulford Courthouse, for repairs to roads in said park, fiscal year 1931, \$13,500.

The amendment was agreed to.

The next amendment was, one page 125, after line 20, to insert:

Fredericksburg and Spotsylvania County Battle Fields Memorial: For continuing the establishment of a national military park to be known as the Fredericksburg and Spotsylvania County Battle Fields Memorial, in accordance with the provisions of the act approved February 14, 1927 (U. S. C., Supp. III, title 16, secs. 425-425J), including the maintenance, repair, and operation of one motor-propelled passenger-carrying vehicle, fiscal year 1931, \$15,000.

The amendment was agreed to.

The next amendment was, under the heading "Damage Claims," on page 129, line 14, after the word "in," to insert "Senate Documents Nos. 171, 182, and 188 and"; after line 16, to insert "Department of Agriculture, \$361.07"; in line 19, after the name "Department of the Interior," to strike out "\$74.74" and insert "\$203.19"; in line 21, after the name "Navy Department," to strike out "\$1,719.89" and insert "\$2,031.98"; in line 22, after the name "Post Office Department," to strike out "\$11,533.65" and insert "\$15,318.38"; in line 24, after the name "Treasury Department," to strike out "\$2,841.25" and insert "\$2,934.42"; on page 130, line 1, after the name "War Department," to strike out "\$2,369.25" and insert "\$4,190.88"; and in line 4, after the words "In all," to strike out "\$19,547.17" and insert "\$26,028.31," so as to make the paragraph read:

For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and establishments under the provisions of the act entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in sums not exceeding \$1,000 in any one case," approved December 28, 1922 (U. S. C., title 31, secs. 215-217), as fully set forth in Senate Documents Nos. 171, 182, and 188 and House Document No. 426 of the Seventy-first Congress, as follows:

Department of Agriculture, \$361.07.

Department of Commerce, \$969.34.

Department of the Interior, \$203.19.

Department of Labor, \$2.80.

Navy Department, \$2,031.98.

Post Office Department, \$15,318.38 (out of the postal revenues).

Treasury Department, \$2,934.42.

War Department, \$4,190.88.

Public Buildings and Public Parks of the National Capital, \$16.25.

In all, \$26,028.31.

The amendment was agreed to.

The next amendment was, under the heading "Judgments, United States courts," on page 131, line 3, after the word "in," to insert "Senate Document No. 173 and"; in line 5, after the name "Navy Department," to strike out "\$1,350" and insert "\$42,342.83"; in line 6, after the name "Treasury Department," to strike out "\$4,408" and insert "\$9,243.23"; and in line 7, after the words "in all," to strike out "\$11,731.73" and insert "\$57,559.79," so as to make the paragraph read:

For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an act entitled "An act authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes," approved March 3, 1925 (U. S. C., title 46, secs. 781-789), certified to the Seventy-first Congress in Senate Document No. 173 and House Document No. 421, under the following departments, namely: Navy Department, \$42,342.83; Treasury Department, \$9,243.23; War Department, \$5,973.73; in all, \$57,559.79, together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

Mr. JONES. Mr. President, on page 131, I offer the amendments to the committee amendments which I send to the desk.

The VICE PRESIDENT. The amendments proposed by the Senator from Washington to the committee amendments will be stated.

The CHIEF CLERK. On page 131, line 3, it is proposed to strike out "Senate Document No. 173 and" and to insert in lieu thereof "Senate Documents Nos. 173 and 189."

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington to the committee amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The next amendment proposed by the Senator from Washington to the committee amendment will be stated.

The CHIEF CLERK. On page 131, line 6, it is proposed to strike out "\$5,973.73" and in lieu thereof to insert "\$73,778.46."

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington to the committee amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The next amendment proposed by the Senator from Washington to the committee amendment will be stated.

The CHIEF CLERK. On page 131, line 7, it is proposed to strike out "\$57,559.79" and in lieu thereof to insert "\$125,364.52."

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington to the committee amendment.

The amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 132, after line 2, to insert:

Interest on judgment in favor of the Henri Gutmann Silks Corporation: For the payment of interest from May 28, 1925, to November 25, 1929, at the rate of 6 per cent per annum on \$1,903.15 being the amount of principal of a judgment rendered against the United States by the United States District Court for the Southern District of New York, and in favor of the Henri Gutmann Silks Corporation so much as may be necessary is hereby appropriated to pay such interest in conformity with the judgment certified in Senate Document No. 100, Seventy-first Congress; such interest having been inadvertently omitted from the paragraph in the "first deficiency act, fiscal year 1930," which appropriated for the payment of such principal.

The amendment was agreed to.

The next amendment was, under the heading "Judgments, Court of Claims," on page 132, line 26, after the word "in," to insert "Senate Document No. 172 and"; on page 133, line 2, after the word "namely," to insert "United States Shipping Board, \$14,505; United States Veterans' Bureau, \$477.33; Department of the Interior, \$625"; in line 4, after the name "Navy Department," to strike out "\$28,663.83" and insert "\$823,635.21"; in line 6, after the name "War Department" to strike out "\$49,940.41" and insert "\$166,129.97," and in the same line, after the words "in all," to strike out "\$80,629.24" and insert "\$1,007,397.51," so as to make the paragraph read:

For the payment of the judgments rendered by the Court of Claims and reported to the Seventy-first Congress in Senate Document No. 172 and House Document No. 420, under the following departments, namely: United States Shipping Board, \$14,505; United States Veterans' Bureau, \$477.33; Department of the Interior, \$625; Navy Department, \$823,635.21; Treasury Department, \$2,025; War Department, \$166,129.97; in all, \$1,007,397.51.

The amendment was agreed to.

The next amendment was, on page 138, after line 8, to insert:

AUDITED CLAIMS

SEC. 3. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1927 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document No. 170, Seventy-first Congress, there is appropriated as follows:

LEGISLATIVE

For contingent expenses, Senate: Miscellaneous items, 65 cents.

INDEPENDENT OFFICES

For contingent expenses, Civil Service Commission, \$1.47.
For Federal Trade Commission, \$1.50.
For military and naval compensation, Veterans' Bureau, \$71.
For salaries and expenses, Veterans' Bureau, \$41.67.
For vocational rehabilitation, Veterans' Bureau, \$98.55.

DEPARTMENT OF AGRICULTURE

For general expenses, Forest Service, \$10.51.

DEPARTMENT OF COMMERCE

For export industries, Department of Commerce, \$1.28.
For general expenses, Bureau of Standards, 21 cents.
For general expenses, Coast and Geodetic Survey, 50 cents.
For party expenses, Coast and Geodetic Survey, \$11.47.

DEPARTMENT OF THE INTERIOR

For miscellaneous expenses, Pension Office, \$25.52.
For expenses, sale of timber (reimbursable), \$53.60.

DEPARTMENT OF JUSTICE

For enforcement of antitrust laws, \$2.81.
For salaries, fees, and expenses of marshals, United States courts, \$6,307.24.
For fees of commissioners, United States courts, \$44.55.

NAVY DEPARTMENT

For increase of compensation, Naval Establishment, \$596.75.
For pay, miscellaneous, \$87.
For transportation, Bureau of Navigation, \$274.13.
For organizing the Naval Reserve Force, \$23.30.
For engineering, Bureau of Engineering, \$21.12.
For construction and repair, Bureau of Construction and Repair, \$23.50.
For pay of the Navy, \$1,815.68.
For maintenance, Bureau of Supplies and Accounts, \$41.74.

For freight, Bureau of Supplies and Accounts, \$3.35.
For aviation, Navy, \$13,708.25.
For pay, Marine Corps, \$114.25.
For general expenses, Marine Corps, \$190.76.

DEPARTMENT OF STATE

For contingent expenses, United States consulates, \$225.

TREASURY DEPARTMENT

For increase of compensation, Treasury Department, \$6.02.
For collecting the revenue from customs, \$99.54.
For collecting the internal revenue, \$220.75.
For refunding taxes illegally collected, \$25.65.
For Coast Guard, \$31.89.
For enforcement of narcotic and national prohibition acts, internal revenue, \$2,391.90.
For pay of personnel and maintenance of hospitals, Public Health Service, \$1.66.
For furniture and repairs of same for public buildings, \$2.16.

WAR DEPARTMENT

For military post exchange, 13 cents.
For registration and selection for military service, \$12.
For pay, etc., of the Army (longevity act of January 29, 1927), \$3,966.05.
For pay, etc., of the Army, \$9,801.11.
For pay of the Army, \$3,298.75.
For pay, etc., of the Army, war with Spain, \$22.08.
For arrears of pay, bounty, etc., \$15.54.
For mileage of the Army, \$402.01.
For increase of compensation, Military Establishment, \$5,431.87.
For apprehension of deserters, etc., 60 cents.
For Army transportation, \$2,370.88.
For barracks and quarters, \$40.
For clothing and equipage, \$96.21.
For general appropriations, Quartermaster Corps, \$1,401.35.
For incidental expenses of the Army, \$97.34.
For subsistence of the Army, \$8.50.
For supplies, services, and transportation, Quartermaster Corps, \$87.69.
For replacing medical supplies, \$7,552.05.
For armament of fortifications, \$1,835.14.
For armament of fortifications, insular possessions, \$1,817.53.
For armament of fortifications, Panama Canal, \$2,619.59.
For Chemical Warfare Service, Army, \$80.66.
For field-artillery armament, \$2,962.95.
For manufacture of arms, 37 cents.
For ordnance service, \$210.81.
For ordnance stores, ammunition, \$8,494.39.
For ordnance stores and supplies, \$41.73.
For replacing ordnance and ordnance stores, \$1,092.49.
For Signal Service of the Army, \$48.83.
For Air Service, Army, \$3,222.46.
For Organized Reserves, \$489.52.
For pay of the National Guard for armory drills, \$20.83.
For reserve officers' training corps, \$66.62.
For maintenance, United States Military Academy, \$16.15.

POST OFFICE DEPARTMENT—POSTAL SERVICE

(Out of the postal revenues)

For city delivery carriers, \$43.86.
For clerks, first and second class post offices, \$52.42.
For compensation to postmasters, \$132.13.
For freight, express, or motor transportation of equipment, etc., \$50.53.
For indemnities, domestic mail, \$91.36.
For rent, light, and fuel, \$1,280.90.
For Rural Delivery Service, \$29.78.
For vehicle service, \$172.86.

Total, audited claims, section 3, \$86,050, together with such additional sum due to increase in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

The amendment was agreed to.

The next amendment was, on page 143, line 13, to change the section number from 3 to 4; in line 15, after the word "in," to insert "Senate Document No. 169 and"; in line 17, after the name "Treasury Department," to strike out "\$1,187.50" and insert "\$11,657.76," and in line 18, after the words "in all," to strike out "\$6,350.72" and insert "\$16,820.98," so as to read:

SEC. 4. For the payment of sundry claims allowed by the General Accounting Office under various acts and certified to the Seventy-first Congress in Senate Document No. 169 and House Document No. 422, under the following departments: Treasury Department, \$11,657.76; War Department, \$5,163.22; in all, \$16,820.98.

The amendment was agreed to.

The next amendment was, on page 143, line 20, to change the section number from 4 to 5.

The amendment was agreed to.

The reading of the bill was concluded.

The VICE PRESIDENT. The bill is before the Senate and is open to amendment.

Mr. JONES proposed an amendment to House bill 12902, the second deficiency appropriation bill, which was ordered to be printed, as follows:

On page 7, strike out lines 2 to 15, inclusive, and insert in lieu thereof the following:

"Investigation of enforcement of prohibition and other laws: For continuing the inquiry into the problem of the enforcement of the prohibition laws of the United States, together with enforcement of other laws, pursuant to the provisions thereof contained in the first deficiency act, fiscal year 1929, to be available for each and every object of expenditure connected with such purposes notwithstanding the provisions of any other act, and to be expended under the authority and by the direction of the President of the United States, who shall report the results of such investigation to Congress, together with his recommendations with respect thereto, fiscal year 1931, \$250,000, together with the unexpended balance of the appropriation for these purposes contained in the first deficiency act, fiscal year 1929, which shall remain available until June 30, 1931.

Mr. JONES. Mr. President, the committee amendments having been disposed of, with the exception of one, I desire to enter a motion.

The Senators from Arizona [Mr. ASHURST and Mr. HAYDEN] feel that they are compelled to make all the opposition they possibly can to the provision in the bill relating to Boulder Dam. I have advised them as to the action I feel we should take because of the nearness of the end of the session, and so, under the rule, I submit the motion which I send to the desk.

The VICE PRESIDENT. The Secretary will read.

The Chief Clerk read as follows:

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, move that debate be brought to a close upon the bill (H. R. 12902) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes.

KEY PITTMAN.
TASKER L. ODDIE.
CARTER GLASS.
DAVID I. WALSH.
M. E. TYDINGS.
KENNETH McKELLAR.
LAWRENCE C. PHIPPS.
CHARLES L. McNARY.
HENRY J. ALLEN.

ARTHUR CAPPER.
PATRICK SULLIVAN.
FELIX HEBERT.
ROSCOE C. PATTERSON.
P. L. GOLDSBOROUGH.
J. G. TOWNSEND, Jr.
FREDERICK STEIWER.
W. L. JONES.

Mr. ASHURST. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Arizona will state his parliamentary inquiry.

Mr. ASHURST. I should like to have the rule read under which the motion has been filed.

The VICE PRESIDENT. The clerk will read the rule.

The Chief Clerk read as follows from Rule XXII:

If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the presiding officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by an aye-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than one hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WALSH of Montana. I offer the following formal amendment to the bill, and ask that it may be acted upon now.

Mr. JONES. Mr. President, committee amendments have not as yet been disposed of.

Mr. WALSH of Montana. I understood that the committee amendment not disposed of will be open to very protracted debate.

Mr. JONES. There will be considerable debate.

Mr. WALSH of Montana. I was going to ask unanimous consent that the amendment offered by me be now considered. It is merely a formal matter.

Mr. JONES. I have no objection.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 92, line 15, after the word "Treasury," it is proposed to insert the following:

On the site of the existing post office and Federal office building or."

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. WALSH of Montana. Mr. President, let me explain the amendment briefly. The bill provides for the erection of a Federal building in the city of Helena, Mont.—my home—either upon the site of the present assay office or upon a site to be donated. It is desired that the Secretary of the Treasury be also permitted, in his discretion, to erect the building upon the site of the present building.

Mr. JONES. I understand that the amendment is in order under the organic act relating to public buildings.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. ASHURST. Mr. President, within the last 10 minutes an episode has taken place which is one of the most remarkable in the history of the Senate.

Mr. McKELLAR. Mr. President—

Mr. ASHURST. I can not yield now. I desire to make clear the situation.

The VICE PRESIDENT. The Senator from Arizona declines to yield.

Mr. ASHURST. The deficiency bill was taken up for consideration to-day after the lunch hour, and on this same day, before the sun has reached the western rim of the horizon, a motion is filed for cloture to bring the debate to a close, which motion would prevent an adequate debate on an important item.

Mr. DILL. Mr. President—

Mr. ASHURST. I can not yield.

Mr. DILL. I wanted to help the Senator make his statement more clear. He said "after the lunch hour." The bill was taken up at 4 o'clock, and it is now only 4.30.

Mr. ASHURST. Very well. The bill was taken up half an hour ago, as it is now 4.30 o'clock. There is in this world a law called the law of compensation, and I have discovered that sooner or later it does its deadly work. In March, 1917, when the world was filled with war's alarms, I, and all other Senators but three, voted to abolish unlimited debate in the Senate and provided for cloture.

When I voted to change the rules so as to permit cloture I believed that I was rendering my country a great service. The sword that we drew, or thought I was drawing in behalf of our country and our State when I voted for the cloture, is the sword that is now about to disembowel Arizona.

After I voted for that cloture motion, it soon came upon me that I had made a great mistake in so voting; and that conviction has remained with me ever since. I now perceive, I know, that I made a mistake in voting for cloture. Whenever, by the power of propaganda circulated with adequate artfulness, enough Senators can be induced, properly—I am not saying improperly, but can be propagandized sufficiently—almost anything can be driven through the Senate.

My colleague and I are not insulted by the filing of this motion. We do not take it as anything personal toward us. We realize that there is near a closing of this long session; and it may be that this motion, after a fashion, is a fitting conclusion to this session. It is, at least, an ironical conclusion of the session. It may interest you to know that neither my colleague nor I had intended or announced or threatened to deliver in the Senate one word of speech in debate other than legitimate debate on this bill.

A State, Arizona, richer potentially than that domain which Pizarro gave to Spain, a great empire one hundred and thirteen times the size of the State of Rhode Island and twelve times the size of the State of Massachusetts, has her resources appropriated and taken away under a cynical law for the benefit of another State, the State of California. A President who is from California, a Secretary of the Interior who is from California, a Commissioner of Reclamation who is from California, then prepare and submit what are alleged to be contracts look-

ing for the return of the moneys to be proposed to be spent in the development of the Boulder Canyon project; but lawyers who have examined the contracts perceive that they are only unilateral, voidable contracts. Under section 4 of the very Boulder Dam bill Congress passed in December, 1928, it is specifically stated that before one dollar could be expended or any work done on the Boulder Dam project contracts that would guarantee to the United States a return of all the moneys expended must be executed.

Such contracts have not been made, in my judgment. Contracts indeed have been made, as we shall point out later in the debate, but they are not such contracts as are contemplated by the Boulder Dam law.

After this cloture goes into effect my colleague will have one hour, and I shall have one hour to discuss this bill of such vast importance.

The proponents of the Boulder Dam have not lived up to their own requirements. They have—if you will pardon the nomenclature of the poker table—"welshed on their own hand."

Was Congress acting in Punic faith when it passed the Boulder Dam law? Scores of votes were obtained in another body of Congress, and not a few votes were obtained in this body of Congress when the proponents said, "This is not an appropriation from the Treasury. Before a dollar can be appropriated a contract must be executed that will guarantee the return of all of these moneys." I think we shall be able to show that the contracts do not provide for a sure return of the moneys to the Federal Government of the United States.

Arizona supplies 28 per cent of the waters of the Colorado River. I have a fountain pen in my pocket, and there is more moisture in that fountain pen than is supplied by California to the Colorado River. Yet you propose to take all these vast resources—water and power—from our young State and deliver them to the coastal cities of southern California! If you can do that, peace be with you!

Mr. GLENN. Mr. President, will the Senator yield?

Mr. ASHURST. I can not yield at this moment.

Now, permit me to say that you will all discover in due season, as I have discovered, that you make the Senate a refuge for cowards. Your cloture transforms the Senate from a forum of freedom to a place where we shut off a discussion of arguments we are unable to answer.

Several Senators addressed the Chair.

Mr. McNARY. Mr. President, I move—

Mr. ASHURST. I do not yield for a moment. I hope you are not going to be impatient.

Mr. McNARY. I thought the Senator had yielded the floor.

Mr. ASHURST. I have another thought, which is something that rarely occurs to those who are trying to drive this bill through.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. ASHURST. Let me finish.

The VICE PRESIDENT. The Senator declines to yield.

Mr. ASHURST. Mr. President, rarely in the annals of parliamentary government has a more redoubtable fight been made than has been made by Arizona in opposing the present Boulder plan. The Congressman from the State of Arizona [Mr. DOUGLAS] in the House recently delivered arguments that convinced the intellects of many. Here is my worthy colleague [Mr. HAYDEN], than whom there is no more superb intellect or more prodigiously industrious man in the Senate. For years, with unsurpassed skill in diplomacy, he has resorted to every expedient known to try to secure an agreement upon this Boulder Dam question. If an agreement has not been made, the blame is not his, and the blame is not Arizona's. We shall be content with the record of attempts to compromise, and we are glad to know that but a few feet from this Chamber there is a tribunal where there is no cloture, and where justice and equity and the Constitution are recognized.

My colleague, the junior Senator from Arizona, who is always prepared for every emergency in statecraft and in diplomacy, will be required to introduce his amendments now and have them read, or he could not even introduce amendments later on; and I am going to yield the floor to him in order that he may, under the rule, introduce his amendments and have them read from the desk, so that they will be in order.

Mr. GLENN. Mr. President, I should like to ask the Senator just one question.

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Illinois?

Mr. ASHURST. I yield for that purpose.

Mr. GLENN. Does the Senator from Arizona mean to say that the Senate, in this Boulder Dam legislation, actually authorized the diversion of water from one State to another and from one watershed to another?

Mr. ASHURST. I say that the Colorado River flows for 200 and more miles on the bosom of Arizona. Then for many miles it forms the boundary line between Arizona and Nevada. Then for 200 miles or more, in a meandered line, it forms the boundary line between Arizona and California. The Boulder Dam bill which was passed last December proposes to take from the Colorado River 1,500 second-feet, or as much water as is required by Chicago for potable purposes, and send the same to the coastal cities of southern California.

Mr. GLENN. That is the very point that surprised me.

Mr. ASHURST. And transport the water 250 miles away, to be used for potable purposes, industrial purposes, and irrigation purposes in the coastal cities of California, although that powerful State does not contribute any water to the Colorado River.

Mr. GLENN. That is the point I wanted to be sure about. I am shocked, of course, to learn that the Senators from California who sponsored that diversion were against the diversion at Chicago; and I think even the Senators from Michigan and Wisconsin who were so horrified at the idea of diverting water from one State to another and from one watershed to another at Chicago enthusiastically supported the proposal when it was a case between Arizona and California.

Mr. HAYDEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HAYDEN. At what time, under cloture proceedings, must a Senator offer amendments to this bill, and are they required to be read?

The VICE PRESIDENT. At any time before day after to-morrow at 1 o'clock.

Mr. HAYDEN. I ask to have the amendments, which I send to the desk, read by the clerk, and printed, to lie upon the table.

The VICE PRESIDENT. The amendments will be read, printed, and lie on the table.

The legislative clerk read the amendments submitted by Mr. HAYDEN, as follows:

On page 44, strike out the section beginning in line 18 and ending on line 14, page 45.

On page 45, line 15, after the words "secondary projects" insert "for cooperative and general investigations, \$1,000,000: *Provided, That,*"

On page 45, after line 14, insert a new paragraph, as follows:

"For studies, surveys, investigations, and engineering to determine the lands in the State of Arizona that should be embraced within the Parker-Gila Valley reclamation project as authorized by section 11 of the Boulder Canyon project act, \$250,000."

On page 45, line 14, insert the following after the word "act":

"And provided further, That no part of the amount hereby appropriated shall be expended until the city of Los Angeles and the Metropolitan Water District at a duly authorized election shall have obtained the assent of their respective electors, as required by the constitution and statutes of California, to the sale of bonds in sufficient amount to enable them to construct the facilities with which the power and water may be utilized, and to the obligations and liabilities with respect to the purchase of water for all purposes, including that of generating electrical energy and rental of generating equipment."

Mr. HAYDEN. Mr. President, there is but little that I can add to the earnest protest just made by my colleague the senior Senator from Arizona with respect to the proposed cloture. I have addressed the Senate on various occasions in opposition to the Boulder Canyon Dam. At no time have I ever wandered away from the subject before the Senate. My remarks, however long I may have spoken in the past, were always to the point.

My understanding of what constitutes a filibuster is that a Senator occupies the time of this body discussing outside, extraneous matters and subjects not germane to the issue to be determined by the Senate. That is a filibuster. I have never engaged in anything of that kind. I had no intention of following such a course on this occasion. Any remarks that I may make on the subject of the appropriation to commence construction of the Boulder Canyon project will be directed to the question at issue before the Senate.

Mr. HARRIS. Mr. President, I send an amendment to the desk.

The VICE PRESIDENT. The clerk will report the amendment.

The LEGISLATIVE CLERK. The Senator from Georgia offers the following amendment, on page 58, between lines 11 and 12, to insert the following:

Survey in connection with the control of cancer: For a survey by the Surgeon General in connection with the control of cancer, \$100,000. Such survey shall include (1) an investigation of the researches being carried on with respect to the control of cancer in the various institutions in the United States and abroad; (2) an investigation of the

existing methods of treatment of cancer with a view to determining and encouraging the use of the best methods of treatment to the exclusion of those that are worthless or fraudulent; (3) the ascertaining of the best methods of increasing the number of physicians skilled in the diagnosis and treatment of cancer; (4) the ascertaining of the best means of educating the public with respect to the signs and symptoms of cancer in its early stages in order to prevent neglect and delay in treatment; (5) the ascertaining of the extent to which provision now exists for furnishing optimum treatment for cancer for all sufferers, together with an estimate of what would be needed to make this adequate, and the cost thereof; and (6) the collection of any other pertinent data to enable the Congress to act advisedly in this matter. As soon as practicable after the completion of such survey the Surgeon General shall report the results thereof to Congress, together with his recommendations for necessary legislation.

Mr. HARRIS. Mr. President, this amendment was recommended by the Committee on Commerce of the Senate, after having had a special subcommittee confer with the leading cancer research men from all over the United States, who came here and urged the adoption of this amendment. It calls for the appropriation of \$100,000 for the Public Health Service, to enable them to make a survey of cancer control in the United States and elsewhere.

We lose in the United States every year through death from cancer, more people than our country lost in battle in the World War. I do not know of any appropriation we can better make than this. I hope there will be no objection.

Mr. McNARY. Mr. President, does the Senator ask for the immediate consideration of the amendment?

Mr. HARRIS. I believe there will be no objection to it. I do not think there is any opposition. If it takes too much time I will not press it, but I do want to have immediate consideration.

Mr. COPELAND. Mr. President, may I ask the Senator from Washington whether this amendment now proposed by the Senator from Georgia was brought before the committee?

Mr. JONES. It was brought before the committee, and, as I understand, a resolution has passed the Senate embodying what is contained in the amendment.

Mr. HARRIS. It has passed the Senate.

Mr. JONES. While I do not like to put such matters on appropriation bills, and while I think technically this does not comply fully with the rule, yet, under our rule making it in order to put on a bill such an amendment in order to carry out a resolution which has already passed the Senate during this session, it is in order. So I will have to submit the matter to the Senate. I think it is a very important thing.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I desire to offer an amendment which the committee has authorized me to present.

Mr. JONES. I hope the Senator will not press that to-night.

Mr. McKELLAR. Why can we not act upon it now?

Mr. JONES. I had not thought the Senator would offer it to-day, and I want to look up the matter of a point of order a little.

Mr. McKELLAR. Very well.

INTERNATIONAL ROAD CONGRESS

Mr. VANDENBERG. Mr. President, there is a bill on the calendar, House bill 11145, to increase the authorization for an appropriation for the expenses of the sixth session of the Permanent International Association of Road Congresses to be held in the District of Columbia in October, 1930.

This bill must now pass as an authorization measure if subsequently there is to be an appropriation before the present session shall adjourn. It has passed the House, and is unanimously reported by the Committee on Foreign Relations. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which was read the third time and passed, as follows:

Be it enacted, etc., That section 2 of the joint resolution entitled "Joint resolution to provide that the United States extend to the Permanent International Association of Road Congresses an invitation to hold the sixth session of the association in the United States, and for the expenses thereof," approved March 28, 1928, is amended by striking out "\$25,000" and inserting in lieu thereof "\$55,000."

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 12696) authorizing an appropriation for the purchase of the Vollbehr collection of incunabula, and it was signed by the Vice President.

ENROLLED BILLS PRESENTED

Mr. GILLETT (for Mr. GREENE), from the Committee on Enrolled Bills, reported that on to-day that committee presented to the President of the United States the following enrolled bills:

S. 134. An act authorizing an appropriation for the purchase of land for the Indian colony near Ely, Nev., and for other purposes;

S. 135. An act to provide for the payment of benefits received by the Paiute Indian Reservation lands within the Newlands irrigation project, Nevada, and for other purposes;

S. 304. An act for the relief of Cullen D. O'Bryan and Lettie A. O'Bryan;

S. 308. An act for the relief of August Mohr;

S. 363. An act for the relief of Charles W. Martin;

S. 485. An act to amend section 9 of the Federal reserve act and section 5240 of the Revised Statutes of the United States, and for other purposes;

S. 486. An act to amend section 5153 of the Revised Statutes, as amended;

S. 670. An act for the relief of Charles E. Anderson;

S. 671. An act for the relief of E. M. Davis;

S. 857. An act for the relief of Gilbert Peterson;

S. 1183. An act to authorize the conveyance of certain land in the Hot Springs National Park, Ark., to the P. F. Connelly Paving Co.;

S. 1254. An act for the relief of Kremer & Hog, a partnership;

S. 1255. An act for the relief of the Gulf Refining Co.;

S. 1257. An act for the relief of the Beaver Valley Milling Co.;

S. 1702. An act for the relief of George W. Burgess;

S. 1955. An act for the relief of the Maddux Air Lines (Inc.);

S. 1963. An act for the relief of members of the crew of the transport *Antilles*;

S. 1971. An act for the relief of Buford E. Ellis;

S. 2465. An act for the relief of C. A. Chitwood;

S. 2718. An act for the relief of Stephen W. Douglass, chief pharmacist, United States Navy, retired;

S. 2788. An act for the relief of A. R. Johnston;

S. 2864. An act for the relief of certain lessees of public lands in the State of Wyoming under the act of February 25, 1920, as amended;

S. 3284. An act for the relief of the Buck Creek Oil Co.;

S. 3577. An act for the relief of John Wilcox, jr.;

S. 3627. An act to amend the Federal reserve act so as to enable national banks voluntarily to surrender the right to exercise trust powers and to relieve themselves of the necessity of complying with the laws governing banks exercising such powers, and for other purposes;

S. 3642. An act for the relief of Mary Elizabeth Council;

S. 3664. An act for the relief of T. B. Cowper;

S. 3665. An act for the relief of Vida T. Layman;

S. 3666. An act for the relief of the Oregon Short Line Railroad Co., Salt Lake City, Utah;

S. 4096. An act to amend section 4 of the Federal reserve act;

S. 4466. An act to make a correction in an act of Congress approved February 28, 1929; and

S. 4722. An act creating the Great Lakes bridge commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The Chair refers to the appropriate committees certain messages from the President making nominations.

REPORT OF POSTAL NOMINATIONS

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

JOHN S. THOMPSON

Mr. PHIPPS. Mr. President, I report favorably from the Committee on Post Offices and Post Roads the nomination of John S. Thompson to be postmaster at Gravette, Ark., to which I call the attention of the senior Senator from Arkansas [Mr. ROBINSON].

Mr. ROBINSON of Arkansas. Mr. President, there has been delay in disposing of this nomination, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

THE JUDICIARY

The legislative clerk read the nomination of Louis H. Crawford to be United States marshal, northern district of Georgia. The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. PHIPPS. I ask that the nominations of postmasters be confirmed en bloc, and the President notified.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc, and the President will be notified.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations for promotions in the Navy.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc, and the President will be notified.

ADJOURNMENT

Mr. McNARY. As in legislative session, I move that the Senate adjourn until to-morrow at 12 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 50 minutes p. m.) adjourned until to-morrow, Wednesday, June 25, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 24, 1930

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

Dana G. Munro, of New Jersey, now a Foreign Service Officer of class 2, to be envoy extraordinary and minister plenipotentiary of the United States of America to Haiti.

COLLECTOR OF CUSTOMS

William H. Ellison, of San Diego, Calif., to be collector of customs for custom collection district No. 25, with headquarters at San Diego, Calif. (New office created by Executive order of May 22, 1930.)

PUBLIC HEALTH SERVICE

The following-named assistant surgeons to be passed assistant surgeons in the Public Health Service, to take effect from date of oath:

Kirby Knapp Bryant.	Frank Samuelson Fellows.
William Henry Sebrell, jr.	William Hendon Gordon.
George Gordon Holdt.	Albert Taylor Morrison.
Homer Lucas Skinner.	William Wesley Nesbit.
Clifford Lee Wilmoth.	Leon Ocel Parker.
Anthony Peter Rubino.	

CONFIRMATIONS

Executive nominations confirmed by the Senate June 24, 1930

UNITED STATES MARSHAL

Louis H. Crawford, northern district of Georgia.

PROMOTIONS IN THE NAVY

Walter R. Gherardi to be rear admiral.

Arthur St. C. Smith to be rear admiral.

Conant Taylor to be captain.

Melville S. Brown to be commander.

To be lieutenant commanders

Oscar H. Holtmann.	Earl E. Stone.
William McK. Reifel.	Edward F. McCartin.
William W. Warlick.	Hayden H. Smith.
Owen E. Grimm.	

To be lieutenants

Malcolm M. Gossett.	Thomas Aldred.
Robert B. Rothwell.	Malcolm W. Pemberton.
Louis D. Libenow.	John L. Nestor.
Arthur L. Pleasants, jr.	William V. Saunders.
Delbert S. Cornwell.	Kenneth M. McLaren.
Byron S. Anderson.	Frederic S. Withington.

To be lieutenants (junior grade)

Walter H. Albach.	Leonard S. Mewhinney.
Richard Wagner.	Warner R. Edsall.
Melvyn H. McCoy.	Earl B. Patterson.
George W. Anderson, jr.	Wallace B. Mechling.
Warren F. Graf.	Henry H. Caldwell.
Shirley S. Miller.	Arthur E. Loeser.
Francis C. Manville.	William H. Leahy.
Jacob C. Schwab.	Bloomfield M. Cornell.

James F. Benson.
Thomas J. Hamilton.
Earl K. Swearingen.
Carl J. Pfingstag.
David B. Young.
Frederick Funke, jr.
Frederic F. Agens.
Miles H. Hubbard.
Robert C. Winters.
Charles D. Griffin.
Samuel G. Mitchell.
Edward M. Condra, jr.
John W. Malley.
Arthur S. Born.
Allen Smith, jr.
Timothy F. Donohue.
James M. Roberts.
Sylvius Gazze.
Seymour A. Johnson.
Wellington A. Hammond.
Hubert G. Wall.
Fritz Gleim, jr.
Andrew H. Bergeson.
Raymond J. Moore.
Robert C. Brixner.
Lannie Conn.
Paul W. Card.
Clifford L. Wickman.
Lee W. Parke.
Harry E. Day.
Argyll E. Buckley.
Joseph T. Hazen.
Leonard W. Bailey.
Myron T. Evans.
John F. Hines, jr.
Eugene E. Davis.
Robert H. Speck.
Henry R. Dozier.
William Y. C. Humes, jr.

John W. Schmidt.
Harold T. Deutermann.
Arnold W. McKechnie.
Paul S. Depew.
Robert I. F. Fravel.
Randolph B. Boyer.
Richard C. Collins.
George G. Mead.
John C. Woelfel.
William H. Ashford, jr.
Clarence E. Coffin, jr.
Selden G. Hooper.
Monroe B. Duffill.
Dick R. Downer.
Cyrus T. Clendening.
Ernest Blake.
Frank M. Hammitt.
Howard A. Yeager.
James W. Hager.
Doyle G. Donaho.
Joshua W. Cooper.
Francis E. Cromwell.
Clinton S. Rounds.
Harry D. Hale.
Jack O. Wheat.
Francis C. B. McCune.
Sam Pickering.
Patrick Henry, jr.
William W. Outerbridge.
Joseph A. Flynn.
Clarence E. Cortner.
William O. Burch, jr.
George L. Jones, jr.
John T. Brown, jr.
Charles J. Starkus.
Richard P. Wilkinson, jr.
Robert S. Ford.
Joseph D. McKinney.

To be surgeon

Wendell H. Perry.

To be passed assistant surgeons

Clifford A. Swanson.	Bartholomew W. Hogan.
John N. C. Gordon.	Clark T. Alexander.
Ocie B. Morrison, jr.	Harold O. Cozby.
John P. Brady.	

To be assistant naval constructor

Joseph L. Bird.

POSTMASTERS

ALABAMA

John C. Youngstrom, Girard.

ARKANSAS

John S. Thompson, Gravette.

CALIFORNIA

Axel P. Brown, Albion.
Thomas J. Durfee, Bleber.
Florence E. Mathews, Brea.
Edward D. Mahood, Corte Madera.
Edna F. Grant, Hopland.
Charles E. Wells, Maxwell.
Crowell D. Eddy, National City.
Irma L. Dal Porto, Oakley.
Harry B. Westgate, Pomona.
Myrtle E. Pollock, Portola.
Roscoe E. Watts, Rialto.
William H. Hitchcock, Shafter.

COLORADO

Alice M. Payne, Hudson.

IDAHO

Lillie R. Culbertson, Burke.

ILLINOIS

Frank Willey, jr., Alto Pass.
Walter B. Dunlap, Bath.
George E. Stauffer, jr., Bayliss.
R. Dunn Cook, Belle Rive.
Charles E. Seeber, Benton.
Sidney F. Coffman, Bluford.
Walter L. Barrow, Campbell Hill.
Edward G. Mochel, Clarendon Hills.
Menno Vandervliet, Danforth.

May S. Williams, Hanover.
 Harker Miley, Harrisburg.
 Hugo L. Schneider, Highland Park.
 Samuel A. McCullough, Irvington.
 Martin W. Mensching, Itasca.
 Herman W. Behrens, Kampsville.
 Martin J. Riedy, Lisle.
 Sophie Benhart, Medinah.
 Samuel J. Davis, Moosehart.
 Edward H. Hannant, Mount Sterling.
 Junius A. Beger, Nauvoo.
 Chester A. Bailey, Okawville.
 George H. Townsend, Onarga.
 Louis J. Gauss, Peoria.
 Raymond W. Peters, St. Joseph.
 Willie E. Rudolph, Sibley.
 John W. Vangilder, Sumner.
 Charles E. Van Buren, Victoria.
 Horace E. Collom, Western Springs.
 Ulysses G. Dennison, Winnebago.

INDIANA

Jacob W. Mintzer, Ashley.
 Otto A. Weillbrenner, Mount Vernon.

IOWA

Cora B. Peck, Colesburg.
 Leonard E. Sims, Ladora.
 Jay A. Bargar, Lakota.
 Martha Slatte, Manson.
 Elmer L. Langlie, Marquette.
 Harley S. Rittenhouse, Monona.
 Andrew C. Ries, Ringsted.
 Luvern Leigh, Rockford.
 Charles E. Lovett, Volga.

MARYLAND

August W. Clark, Lutherville.

MICHIGAN

Thomas N. Graham, Peck.

MISSOURI

Albert W. Mueller, Altenburg.
 William O. Tout, Archie.
 Frederick D. Williams, Fulton.
 Vyra M. Brooke, Kingsville.

MONTANA

T. Lester Morris, Corvallis.
 Ernest M. Goodell, Dutton.

NEW JERSEY

Walter A. Smith, Avalon.
 Frank Hill, Dumont.
 Milton A. Whyard, Englewood.
 Mary E. Helmuth, Lavallette.
 Charles B. Sprague, Manahawkin.
 Fannie H. Clayton, Seaside Park.

PENNSYLVANIA

Fred Ungard, Allenwood.
 Charles F. Rugaber, Galeton.
 Harriett S. Earnest, Mifflinburg.

SOUTH CAROLINA

Ralph W. Adams, Abbeville.
 Seabrook C. Carter, Chester.
 Eli Parker, Elloree.
 John S. Meggs, Marion.
 Floyd E. Kerr, McBee.
 Loula B. O'Connor, Meggett.
 Porter B. Kennedy, Sharon.

UTAH

Albert R. Lyman, Blanding.
 C. Thomas Martin, Milford.

VERMONT

Clarence E. Badger, Hyde Park.

VIRGINIA

Robert Irby, Appomattox.
 William C. Roberson, Galax.

WISCONSIN

Velma C. Grossman, Dale.
 Elmer A. Disgarden, Ellison Bay.

HOUSE OF REPRESENTATIVES

TUESDAY, June 24, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Father of Mercies, again Thou hast drawn the curtain of night and shown us the radiance and beauty of Thy handiwork; Thy infinite presence underlies all. We humble ourselves before Thee, yet we approach Thee with filial trust and confidence. Blessed Lord God, be with us, for the words we speak and the things we do may seem to be lost, but are not. Direct us and lead us to do something for others—to love the unloving, to extend the hand to the forbidding, to plan and win the cause that is just, to will that our light may shine, and, above all, to add strength of character and acceptable conduct to our daily living. In the name of Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10381. An act to amend the World War veterans' act, 1924, as amended.

The message also announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 12696. An act authorizing an appropriation for the purchase of the Vollbehr collection of incunabula.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 941) entitled "An act to amend the act entitled 'An act to regulate interstate transportation of black bass, and for other purposes,' approved May 20, 1926," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. COUZENS, Mr. WATSON, and Mr. PITTMAN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the following titles:

S. 968. An act for the relief of Anna Faceina;

S. 1252. An act for the relief of Christina Arbuckle, administratrix of the estate of John Arbuckle, deceased;

S. 2972. An act for the relief of DeWitt & Shobe;

S. 3038. An act for the relief of the National Surety Co.;

S. 3472. An act for the relief of H. F. Frick and others; and

S. 3726. An act for the relief of the owner of the American steam tug *Charles Runyon*.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2370, entitled "An act to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia."

PARK DEVELOPMENT PROGRAM, DISTRICT OF COLUMBIA

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, ladies and gentlemen of the House, we are getting very close to the end of the fiscal year, with the District of Columbia appropriation bill not yet enacted into law. The situation is sufficiently serious if we keep to the facts without letting any misunderstandings arise or permitting false issues to creep in.

The Washington Evening Star of yesterday carried this story with reference to the striking out of the million-dollar park item from the pending deficiency appropriation bill:

ONE MILLION DOLLAR ITEM TAKEN OUT

Another important development came this afternoon when the Senate Appropriations Committee struck from the second deficiency bill the \$1,000,000 approved by the House to begin carrying out the Cramton park-development program.

It was learned that Members of the Senate took the view that Washington has all of the parks an ordinary city of this size would want, and that the additional parks contemplated by the Cramton bill are desirable because this is the National Capital. It was indicated that the Senators felt that if Congress is willing to bear a larger share in the cost of maintaining the Capital, then the purchase of more parks could be carried on, but if there is not to be an increase in the Federal share, then they take the view that the parks should not come ahead of school buildings and other similar local needs.

The action of the Senate committee in eliminating the park item, if approved by the Senate, would make this item subject to final settlement in conference.

The striking out of the park item from the deficiency bill, therefore, has a close bearing on the disagreement between the two Houses over the amount of the Federal contribution toward District expenses. The indications were that the final decision as to whether the \$1,000,000 for parks is to be restored or left out of the deficiency bill will depend largely on whether the Federal contribution toward the National Capital is increased above the \$9,000,000 now allowed.

I am bound to assume that able legislators would not act against the million-dollar item for parks simply because I happen to be the author of both the bill which has recently become a law for the acquisition for parks and also of the so-called lump-sum plan for Federal contribution to District expenses now in disagreement in the District bill. It is not to be believed that it is possible that such a personal element as that would cause such action.

But, with an understanding of the facts, that personal element being left out of consideration, the million-dollar item should not be left out of the deficiency appropriation because of any disagreement about the lump-sum plan. The new park bill does not add 1 penny to the financial obligations of the District of Columbia with reference to parks; but, on the contrary, relieves the District very materially. That million dollars which the House has authorized in the second deficiency bill for the beginning of the new park program is available for any of the purposes of H. R. 26, now Public, 284. It does not add a penny to the financial burdens of the District of Columbia. It is an appropriation of funds of the United States, not of funds of the District of Columbia. Hence, how can anyone fairly say, "the final decision as to whether the \$1,000,000 for parks is to be restored or left out of the deficiency bill will depend largely on whether the Federal contribution toward the National Capital is increased above the \$9,000,000 now allowed"? Neither this million-dollar appropriation nor H. R. 26, Public, 284, which authorizes it, has anything to do with the fiscal dispute. To drag it into the fiscal controversy indicates a remarkable lack of knowledge in very distinguished quarters, since I can not countenance any thought any effort is being made to coerce me.

The million-dollar appropriation proposed in the pending second deficiency bill is available for any of the purposes of H. R. 26, now Public 284. It may be used for the George Washington Memorial Parkway under section 1 (a) of the law, or for the Rock Creek (Anacostia) extensions in Maryland under section 1 (b) of the law, or for lands in the District of Columbia under section 4 of the law.

If spent under section 1 (a) or section 1 (b) for lands in Maryland or Virginia, it is never charged to the District, never reimbursed by the District, in no way at any time a financial burden upon the District.

If spent under section 4 for lands in the District, it is ultimately shared by the District of Columbia and the Federal Government as other expenses of the District of Columbia are shared.

As to lands in the District of Columbia, Public 284 authorizes an advance of \$16,000,000 from the Federal Treasury to the District of Columbia, as the National Capital Park and Planning Commission requires it, for "the expeditious, economical, and efficient accomplishment of the purposes of the act." This money is to be repaid \$1,000,000 a year for 16 years from the District of Columbia treasury, without interest. The item referred to in the pending deficiency appropriation bill states:

Provided, That the reimbursement to be made to the United States by the District of Columbia for advances under section 4 of such act of May 29, 1930, shall commence on June 30, 1932, instead of on June 30, 1931, as provided in such section.

By June 30, 1932, we anticipate the advances without interest from the Federal Treasury under Public, 284 for purchase of lands for parks, parkways, and playgrounds in the District of Columbia will have reached several million dollars, but only \$1,000,000 will be reimbursed by the District of Columbia in the fiscal year ending June 30, 1932. If the new law—Public, 284—had not been enacted, \$1,000,000 or more would have been appropriated in the District bill for purchase of such lands. That amount was appropriated in the District appropriation act for 1930, is approved by the Senate in the pending District bill for 1931, and would no doubt have been continued in 1932 without enactment of Public, 284.

As to the payment for such lands, the law now authorizes an annual appropriation in the District of Columbia appropriation act of a sum not exceeding 1 cent for each inhabitant for

the continental United States, as determined by the last census, or about \$1,200,000. It is further provided that—

The funds so appropriated shall be paid from the revenues of the District of Columbia and the general funds of the Treasury in the same proportion as other expenses of the District of Columbia.

As to lands in the District the law of 1924 authorized appropriations of \$1,200,000 a year for an indefinite, unlimited number of years, payable as other expenses of the District of Columbia. Public 284 provides for advance of \$16,000,000 from the Federal Treasury without interest, to be reimbursed \$1,000,000 a year for 16 years. H. R. 26, Public 284, as to lands in the District, did not increase the usual burden, lessened the possible burden.

As to the lands in Virginia and Maryland H. R. 26, now Public 284, relieved the District from the financial responsibility placed on the District by the legislation of 1924. The legislation of 1924 gave this direction to the National Capital Park and Planning Commission then created—

It is authorized and directed to acquire such lands as, in its judgment, shall be necessary and desirable in the District of Columbia and adjacent areas in Maryland and Virginia, within the limits of appropriations made for such purposes, for suitable development of the National Capital park, parkway, and playground systems.

It provided for payment for such lands by the District of Columbia on the same basis as to lands in Maryland and Virginia as the lands in the District of Columbia. Under H. R. 26, now Public 284, the District is freed from any financial responsibility for the park areas of the National Capital outside the District of Columbia.

No additional burden is therefore placed on the District, but, rather, its burdens are lessened by H. R. 26, now Public 284. The advantages to the District are very briefly these:

First. A large saving in ultimate cost, paying \$1,000,000 a year for a definite period of 16 years instead of for an indefinite period that would probably run the cost up to \$30,000,000 or more.

Second. Saves for use of people of the District areas of importance for recreational use that would otherwise be lost.

Third. Gives the people here the use of the park and playground areas a generation sooner than would otherwise be possible.

Fourth. It relieves the District from any share in the cost of lands to be acquired outside the District, although the present law places the same responsibility on the District for lands outside the District as it does for those within.

Enactment of H. R. 26, now Public 284, does not therefore give any reason for increasing the Federal contribution to District expenses above \$9,000,000.

As a matter of fact, the District of Columbia has the same need for parks outside its borders as other cities have, and if it were not the National Capital, would have to pay for them as have other cities, but under the legislation that we have just enacted into law, the District will not have to contribute a penny for them. There will be parkways in the valleys of Rock Creek, Anacostia, Sligo Branch, Indian Creek, Northwest Branch, Cabin John Creek, aggregating probably 50 miles of beautiful drives, with numberless recreation spots and constant scenic beauty that will be used by people of the District, but with no expenditure by them for acquisition, development, or maintenance. In addition, the George Washington Parkway along the Potomac will be a great asset to the District, and will improve property values in the District of Columbia and afford recreational facilities for the people, but with no expenditure by them for acquisition, development, or maintenance. As to the lands in the District, not only do the people use the parks but there are \$6,000,000 worth of playgrounds essentially of local benefit, and it is not unfair that the purchase of lands for parks and playgrounds in the District be shared ultimately as other expenses of the District of Columbia. But because this is the National Capital the new law provides not only that the Federal Government share ultimately in the cost of the purchases in the District of Columbia as in other expenses of the District but that it also advance the whole amount without interest to be repaid as stated, and shares in the cost of establishment and maintenance of parks in adjacent areas in Maryland and Virginia.

I reiterate that the new park legislation which the million dollars' item in the deficiency bill is to carry into effect adds not a penny to the financial obligations of the District, but, on the contrary, lessens the financial obligations outside of the Districts for parks, and hence, if the facts are understood, it

can not properly enter into the pending controversy over the lump-sum plan unless there is a disposition somewhere to punish the father of the lump-sum idea, and I can not think that any serious legislative body would legislate upon that principle.

REFUNDS TO TAXPAYERS

Mr. GARNER. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARNER. Mr. Speaker and gentlemen of the House, I have asked for this time to again call attention to refunds out of the Treasury to various taxpayers. This morning's mail brought me a letter from Mr. Parker, chief of the staff of the joint committee, in which a refund for \$871,264.96 is made to the Honolulu Consolidated Oil Co., of San Francisco, Calif. It involves the years 1913, 1916, and 1920, inclusive. Gentlemen will recall when we had the Steel Corporation refund up that I called attention to the fact that the Baldwin Locomotive people had a refund for the taxes of 1912, and I have never heard an explanation of that. I really do not know why this 1913 tax is being refunded at this time. If there is a member of the Ways and Means Committee or a Member of the House here who understands how you can make a refund for that time, I wish he would rise and tell the House.

Mr. CHINDBLOM. Could not a controversy of that kind have been kept alive by waivers?

Mr. GARNER. Since 1913?

Mr. CHINDBLOM. Yes.

Mr. GARNER. I doubt it; but I say to the gentleman that this is not a question of waiver.

Mr. CHINDBLOM. The thing that is waived is the statute of limitations. There is no waiver of any amount of tax by anybody, or of the rights of the Government. The gentleman knows that the waiver is for the purpose of securing consideration of all of the questions involved during a long term of years.

Mr. GARNER. Mr. Speaker, this is not a question of waiver at all. What other law does the gentleman know of?

Mr. CHINDBLOM. How does the gentleman know that it is not a question of waiver?

Mr. GARNER. Because I was told so by Mr. Parker, who has examined it.

Mr. CHINDBLOM. And the 1913 tax is not considered under a waiver?

Mr. GARNER. No; it is not now refunded under a waiver.

Now, Mr. Speaker, I want to call your attention to the fact that on June 21 there was a tax refund to the extent of five hundred and some odd thousand dollars. In other words, within the last four days there has been refunded to taxpayers \$1,300,000, and yet we are standing on the floor of the House and the President is filling the press of the country discussing the advisability of legislation for the benefit of World War veterans, involving from \$35,000,000 to \$75,000,000, and the Treasury gives away more money each day than it would take to pay these veterans what Congress says they are justly entitled to.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. SNELL. The gentleman makes the statement that he is giving away money. As a matter of fact if we owe the money to the people should it not be returned?

Mr. GARNER. I agree with the gentleman from New York, but I call his attention to the fact that some of the refunds have been made and the courts have later decided that they had no right to refund that money, and that the Treasury was legally entitled to that money. Twenty-six million dollars was given to the United States Steel Corporation. I say that is giving it away in face of court decisions.

Mr. SNELL. Has the gentleman definite information so as to know that they are not entitled to the refund?

Mr. GARNER. Yes. I pointed it out the other day. We have a joint committee, with the gentleman from Oregon [Mr. HAWLEY] as the chairman, and with five ranking Members of the House Committee on Ways and Means and five ranking Members of the Senate Finance Committee. We have a staff of experts headed by Mr. Parker, who examined this refund that I called attention to the other day, and recommended that the committee disapprove it. What do we have? We have some Members not reading it or being asked what they were going to vote for. In other words, Mr. HAWLEY does not give any consideration to it. He simply carries out Mr. Mellon's wishes. His chief of staff condemned it; Senator REED voted against it, and said it could not be defended.

We have an organization composed of ranking members of the House Ways and Means Committee and ranking members of the Senate Finance Committee, who blindly, without any consideration, do the bidding of the Secretary of the Treasury and

put Congress in the humiliating attitude of having indorsed through its organized committee a transaction that you can not defend, and which its own committee staff has condemned and said should not be paid.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. TREADWAY. Has Mr. Parker, chief of staff, passed upon the merits or demerits of the claim now pending before the gentlemen?

Mr. GARNER. No. It has just reached the committee, but it makes no difference. If Mr. Parker should point out, as he did in a case the other day when the gentleman was not there, that it was not authorized by law, I think the gentleman from Massachusetts, if we can judge the future by the past, would have voted for Secretary Mellon's statement, without knowing anything about it.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. GARNER. Mr. Speaker, I ask unanimous consent to proceed for three additional minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TREADWAY. Has not the joint committee taken up Mr. Parker's recommendations from time to time, and has not Mr. Parker himself, recognized even by the gentleman as an expert, passed favorably on all of these large cases, except the one to which the gentleman has just referred?

Mr. GARNER. Yes, Mr. Speaker and gentlemen of the House; that is correct. Mr. Parker has condemned three of them, and in spite of that criticism and his recommendation that the committee not agree with the Treasury Department, the gentleman from Massachusetts has voted for two of them and was absent on the last consideration.

Mr. TREADWAY. May I ask the gentleman another question? I do not want to take the gentleman's time, but I think the gentleman overstates the case very frequently in unintentional exaggeration. Let me ask if in the principal case which was considered by the committee, Mr. Parker did not say it was a very close decision, even in his mind, and he did not condemn it, except to that extent?

Mr. GARNER. Yes, Mr. Speaker.

Mr. TREADWAY. But he said it was a close decision.

Mr. GARNER. Yes, Mr. Speaker; but here is what happened in the United States Steel Corporation case. There was the Packard Motor Car case pending before the Court of Claims, involving questions contained in the United States Steel case. Ex-Members of this House are on that court, and a judge by the name of Williams wrote the decision. I think you will remember it. This case was pending there, and the Treasury was anxious to settle the Steel case before that suit was decided, and they did pay the claim, and within two weeks that court held, in effect, that the United States Steel Corporation was not entitled to that refund, but the Treasury Department, anxious to serve certain interests in this country, insisted upon making that refund, although it had been pending for 11 years, anticipating that that decision might be against them.

The result of that decision showed that they paid the United States Steel Corporation \$26,000,000 that they were not entitled to. That is the reason I use the word "gift." It is a gift.

In this connection I desire to call attention to an article in the New York Times under date of June 19, as follows:

FEE OF \$5,000,000 FROM UNITED STATES STEEL IS CLAIMED BY LAWYER FOR AID IN \$33,000,000 TAX REFUND

Wayne Johnson, former Solicitor of Internal Revenue, and member of the law firm of Johnson & Shores, 50 Broadway, has claimed a fee of \$5,000,000 for obtaining an income tax refund of \$33,000,000 for the United States Steel Corporation, the claim being arbitrated by former Judge Samuel Seabury, it was learned yesterday.

Former Judge Seabury will resume hearings in the arbitration proceedings on Monday. According to counsel for the United States Steel Corporation yesterday, the corporation has consented that Mr. Johnson's fee was to have been determined by the late Elbert H. Gary, who was chairman of the corporation's board of directors, under the terms of a contract with Mr. Johnson.

The hearings have been arranged in the hope of an amicable settlement of differences of opinion regarding the extent of Mr. Johnson's participation in obtaining the refund. Former Governor Nathan L. Miller, head of the company's legal department, is representing United States Steel in the proceedings. Morgan J. O'Brien and Arthur Ballantine are counsel for Mr. Johnson.

The \$33,000,000 refund to the United States Steel Corporation on income and profits taxes collected for 1918, 1919, and 1920 was announced on March 14 by Secretary of the Treasury Mellon. However, only \$4,000,000 was actually returned to the company by the Government. The balance of \$17,000,000, plus about \$12,000,000 interest, has been credited to the corporation's 1930 taxes. For 1918

the refund and credit was \$14,369,612; for 1919, \$4,391,025, and for 1920, \$2,336,240; these amounts with interest making the total of more than \$33,000,000.

The refund was the result of the settlement of an action brought in the Court of Claims to protect the corporation under the statute of limitations. The steel company claimed a refund of approximately \$77,000,000, and interest of \$55,000,000. The settlement at \$33,000,000 represented principal of \$21,000,000 and interest of \$12,000,000.

It was said at the Treasury that the Steel company's income tax for 1929, payable this year, would be about \$17,000,000.

Secretary Mellon's announcement of the tax refund incensed Representative GARNER, Democratic leader, who asked Congress to investigate tax-refund methods. He accused Mr. Mellon of favoritism to big taxpayers and asserted that failure of the Treasury Department to "contest claims of the United States Steel Corporation has resulted in a direct loss to the Government of at least \$9,000,000 and possibly \$26,000,000." He declared that the \$33,000,000 refund was passed on by the joint committee on internal-revenue taxation with only one member of the majority party present.

The gift the other day to the Hawaiian sugar company was a gift. I do not know about this case. Mr. Parker said this morning when I called him up that he had not examined it. It takes a long time to examine them. We have only 30 days from the time it is reported to the committee until the joint committee acts upon it, so Mr. Parker and his associates are doing the best they can to serve the Government.

Mr. Speaker, I ask unanimous consent in extending my remarks to include again, for the information of the House, the amount that has been refunded by Secretary Mellon since he has been in office.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

Fiscal year:	
1922	\$182,371,597.88
1923	440,173,211.82
1924	452,582,691.87
1925	381,069,220.21
1926	424,072,181.86
1927	304,264,847.42
1928	208,398,978.14
1929	339,528,941.51
1930 to June 21 (approximate)	129,390,615.37
	2,861,852,286.08

A partial list of the larger refunds allowed by the Treasury under Secretary Mellon:

United States Steel Corporation	\$96,384,865.93
Standard Oil Co. of Indiana (Illinois)	5,062,893.82
Harkness, William L., estate (New York)	1,113,692.03
Hillman & Sons Co. (Pennsylvania)	899,906.19
Swift & Co. (Chicago)	1,496,633.90
Brooks, Peter C., estate (Boston)	1,368,826.75
Sage, Margaret Olivia, estate (New York)	1,618,940.00
American Tobacco Co. and subsidiaries (New York)	4,271,290.62
Federal Shipbuilding Co. (Kearney, N. J.)	3,654,239.17
R. J. Reynolds Tobacco Co. (North Carolina)	6,213,808.00
The Texas Co. (Houston)	1,336,507.00
United Fuel Gas Co. (West Virginia)	1,235,962.00
Marine Securities Co. (Evanston, Ill.)	1,054,296.00
Standard Oil Co. of Kentucky	2,629,313.00
Hancock Mutual Life Insurance Co., Boston	1,117,350.00
Kales, Alice G., Mrs., Detroit	3,134,780.00
Hill, Mary T., estate, St. Paul, Minn.	1,221,968.00
Botany Worsted Mills, Passaic, N. J.	1,007,771.00
Mutual Benefit Life Insurance Co., Newark, N. J.	1,075,361.00
Prudential Insurance Co. of America, Newark, N. J.	3,788,130.00
Monell, Ambrose, estate (New York)	1,404,377.00
Central Leather Co. (New York)	1,104,850.00
Clyde, William P., estate, Brooklyn	1,404,931.00
W. R. Grace & Co., New York	3,510,449.00
P. Lorillard Co., New York	1,627,502.00
William Waldorf Astor	6,456,830.00
Ohio Oil Co. (Ohio)	1,789,341.00
Cannon, James W., estate, Concord, N. C.	1,081,560.00
Youngstown Sheet & Tube Co., Youngstown, Ohio	1,234,155.00
American Window Glass Co., Pittsburgh	1,800,218.00
Westinghouse Air Brake Co. (Pennsylvania)	1,729,436.00
Westinghouse Electric & Mfg. Co., Pittsburgh	1,590,574.00
Northwestern Mutual Life Insurance Co., Milwaukee	2,461,796.00
Reed, Verner Z., estate, Denver	1,222,383.93
Moore Shipbuilding Co., San Francisco	537,338.51
Southern California Edison Co., Los Angeles	575,173.33
Colorado Fuel & Iron Co., Denver	669,130.04
Whitman, William, Co. (Inc.), Boston	696,274.34
Corning, Ephraim, estate (New York)	589,949.24
Czarnikow Rionda Co. (New York)	588,908.19
Macy, R. H., & Co. (New York)	508,065.35
United States Retail Stores Corporation (New York)	688,541.07
Texas Pacific Coal & Oil Co.	957,374.29
A. E. Clegg, New York	1,828,438.95
H. F. Kerr, New York	1,818,813.52
John N. Willys, New York	1,211,035.02
New England Cotton Yarn Co., Boston	1,029,052.76
Bartlett-Hayward Corporation, Baltimore	2,641,019.39
American Brass Co., Waterbury, Conn.	1,372,152.38
Amoskeag Manufacturing Co., Boston	2,247,588.98
International Harvester Co., Chicago	2,293,046.37
P. Lorillard & Co., New York	1,562,137.92

The Mackey Co., New York	\$4,985,327.22
Arlington Mills, Lawrence, Mass.	2,505,694.04
National Aniline & Chemical Co., New York	3,035,771.55
Armour & Co., Chicago	2,251,395.31
Cudaby Packing Co., Chicago	2,221,101.13
Libby, McNeil & Libby, Chicago	2,452,102.22
American Locomotive Co., New York	1,876,250.63
Burroughs Adding Machine Co.	1,531,746.21
American Shipbuilding Co., Cleveland	2,085,732.40
Firestone Tire & Rubber Co., Akron	2,960,290.98
Amalgamated Leather Co., New York	1,558,540.66
Plymouth Cordage Co., Plymouth, Mass.	2,468,798.17
William J. Haar, Savannah, Ga.	1,681,526.97
Curtis, Cornelia, estate, Detroit	1,363,207.18
Commercial Pacific Cable Co., New York	2,357,492.89
New Jersey Zinc Co., New York	1,440,214.14
Aluminum Co. of America, Pittsburgh	1,501,277.88
Francis H. Clerque, Montreal, Canada	1,377,188.04
Singer Manufacturing Co., Elizabeth, N. J.	1,623,473.92
Commercial Cable Co. of New York	1,537,945.61
Steward Farm Mortgage Co., Conrad H. Mann, receiver	3,048,546.20
Schoellkopf Aniline & Chemical Works, Buffalo	1,829,141.16
International Shell & Ordnance Co., New York	1,819,009.54
International Loading Co., New York	1,943,170.25
R. J. Reynolds Tobacco Co., North Carolina	1,698,265.47
American Car & Foundry Co.	5,209,204.74
Youngstown Sheet & Tube Co., Youngstown, Ohio	3,482,610.51
Pittsburgh Steel Products Co.	1,830,227.55
Standard Steel Car Co., Pittsburgh	1,955,050.95
Gulf Oil Corporation, Pittsburgh	3,996,080.18
Honolulu Consolidated Oil Co., San Francisco	871,264.96
Philadelphia Rapid Transit Co.	1,721,134.40
Atlantic Refining Co., Philadelphia	1,016,567.36
Eastman Kodak Co.	2,542,304.59
Wilson & Co., Chicago	678,173.57
Employees' Liability Assurance Corporation, Boston	684,205.89
Endicott, Henry B., Estate, Boston	546,599.94
John Hancock Mutual Life Insurance Co., Boston	738,696.21
Hollingsworth & Whitey Co., Boston	516,446.33
Bourne, Frederick G., Estate, New York	603,751.22
Payne, Oliver H., Estate, New York	557,246.00
United States Finishing Co., New York	558,459.00
Miami Copper Co., New York	875,000.00
City Service Co., New York	692,929.00
Berwind White Coal Mining Co., Philadelphia	545,962.00
Emery, John J., Estate, Philadelphia	927,767.00
The Philadelphia Electric Co.	999,937.00
Aluminum Co. of America, Pittsburgh	555,926.75
Frick, Henry C., Estate, Pittsburgh	802,720.69
McClintic-Marshall Construction Co., Pittsburgh	874,255.38
Deering, Charles, Estate, Chicago	728,090.00
Standard Gas & Electric Co., Chicago	901,722.00
United Verde Extension Mining Co., New York	879,580.00
Crimmins & Pierce Co., Boston	783,107.00
New England Mutual Life Insurance Co., Boston	542,812.00
Postum Cereal Co., Battle Creek	580,942.00
Kelly-Springfield Tire Co., New York	949,507.00
United States Industrial Alcohol Co., New York	670,164.00
General Electric Co.	922,445.00
Gans Steamship Line	578,247.00
Equitable Life Assurance Society of the United States, New York	574,611.00
Mutual Chemical Co. of America, New York	860,000.00
Mutual Life Insurance Co. of New York	813,059.00
New York Life Insurance Co.	525,994.00
Mortimer L. Schiff	507,302.00
American Locomotive Co.	925,698.00
Atlantic & Pacific Steamship Co.	529,157.00
Atlantic Transport Co. of West Virginia, New York	786,374.00
Estate of Helen C. Bostwick, New York	675,218.00
Visayan Refining Co. (Inc.), New York	669,446.00
Estate of John J. Emery, Philadelphia	672,628.00
Penn Mutual Life Insurance Co., Philadelphia	804,907.00
Philadelphia Storage Battery Co.	668,901.00
Aluminum Co. of America, Pittsburgh	620,539.00
John B. Semple & Co. (Pennsylvania)	633,388.00
National Life Insurance Co., Montpelier, Vt.	960,579.00

Mr. WOODRUFF. The gentleman has called the attention of the House to some very serious things, and I refer particularly to this refund of \$26,000,000 to the Steel Corporation, in view of the subsequent decision of the Court of Claims. Has the Treasury Department since that decision been rendered taken any steps, so far as he knows, to recover that \$26,000,000?

Mr. GARNER. I do not know of it, but I understand not; none whatever that I know of, and will not. Let me tell the gentleman and others of this House, repeating again, that we were compelled to give the Treasury this discretion and authority, or else the income-tax system would break down, and we would have had to substitute a consumption tax, which I am opposed to. It would take 10 years to find out what the situation was and find out how much you owed the Government. An intolerable situation would result. Now, we gave them discretion, and in my opinion they are abusing that discretion against the Government in favor of certain specified taxpayers. [Applause.]

WILLIE LOUISE JOHNSON

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to file a supplemental report on the bill (H. R. 4101) to extend the benefits of the employees' compensation act of September 7, 1916, to Willie Louise Johnson.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE PRICE OF SHOES UNDER THE NEW TARIFF LAW

Mr. CLARKE of New York. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CLARKE of New York. Ladies and gentlemen of the House, a great deal of misleading propaganda has been disbursed through our newspapers about the effect of the tariff upon the cost of shoes. Mr. George F. Johnson, of the Endicott-Johnson Shoe Co., the pioneer of philanthropists, has prepared a statement which I want to read to you.

Tariff experts, according to high authority, have stated: "The shoe duty would cost consumers \$78,000,000," presumably yearly.

THE FACTS

The provision for a protective tariff of 20 per cent will not cost the American shoe consumers one penny unless they insist upon buying foreign-made shoes; in which case they will pay 20 per cent more than they have been paying.

[Applause.]

The tariff duty of 10 per cent placed on hides will make shoes cost more (when the duty is added to the hide cost). This cost will vary according to the kind of shoes. Where more leather is used the cost will be more. Where little leather, like women's shoes, the tax will be small against each pair.

There is no article of public consumption more necessary than shoes. There is no commodity or necessity where competition is keener. The American shoe manufacturers (plus distributors) will see to it that no added cost shall be assessed against the "ultimate consumer" of American-made shoes.

In the case of hides—since the tariff of 10 per cent has been effective, hides have sold for less money. Hides are a by-product of beef and must be sold. They can not be eaten nor buried. Prices will depend on the "supply and demand." With a tariff of 10 per cent, hides may sell for less money, and have already sold cheaper since the last tariff.

The selling department informed me yesterday that our shoes were selling at lower prices on the average than maintained in the year 1914, when wages were little more than half what they are to-day. Our profits have suffered correspondingly, even after we credit any increased efficiency or economies of any kind which we have created since that time.

With double the capacity of manufacturing shoes that is required for the natural markets, the consumer need not feel seriously disturbed about a tariff duty on shoes, so far as it affects his or her pocketbook, unless (to repeat) they very greatly desire to wear shoes manufactured in some foreign country.

[Applause.]

Mr. Speaker, I yield back the balance of my time.

RIVERS AND HARBORS

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. McDUFFIE. Mr. Speaker, reserving the right to object, may I ask the chairman of the committee [Mr. DEMPSEY] what is the objection to carrying out the instructions of the committee by asking unanimous consent to concur in the Senate amendments before asking for a conference?

Mr. DEMPSEY. As I understand, the feeling is that the bill is quite a large bill, and that the more orderly way is to send it to the conference. There is no trouble at all about the conferees agreeing speedily, and the bill would come back and be passed to-day or to-morrow. I am assured on the Senate side there will be no trouble at all there. I have talked with those who will be the conferees. There will be no serious disputes. There will be no prolonged conference. I see no reason why the conferees can not get together immediately. In fact, I have agreed to call them this afternoon, and we expect to make and sign our report and have it back here this afternoon.

Mr. McDUFFIE. The chairman is favorable to the amendments added by the Senate, I assume?

Mr. DEMPSEY. At least I, as an individual, would be ready to concur in the Senate amendments for the purpose of the speedy enactment of the measure.

Mr. McDUFFIE. I have no desire to interfere with the regular processes of legislating, but it occurs to me that the chairman should at least have carried out the instructions of his

committee and made the first request. There might have been objection. I do not know now that there will be objection. None has been made, of course, because the request has not been made. It is a much better way to deal quickly with the problem. The chairman knows that our committee has considered the amendments. Certainly those who will have to deal with them, namely, the ranking minority Member, Judge MANSFIELD, and the two majority Members, understand the amendments. They will readily agree to them. Why could we not save the time of a conference and agree to the Senate amendments to-day? The House, I think, is ready to agree to them, and a vast majority of the people of the country approve the bill.

Mr. DEMPSEY. I am not sure that the chairman of the committee would be recognized for that purpose, and I am quite sure that the feeling is that on account of the importance of the bill it should be sent to conference.

Mr. McDUFFIE. Will the chairman give us some idea as to when he will bring this bill back? These are the closing hours of the Congress.

Mr. DEMPSEY. I have already said, and I repeat, that I have conferred both with the chairman of the committee in the Senate, with the leader and assistant leader in the Senate, and that we have agreed to have the conference this afternoon. We expect to be able to report back this afternoon, and we hope to take the matter up to-morrow.

Mr. McDUFFIE. I am glad to have that statement from the chairman, but this thought occurred to me, in view of the fact that the House committee has unanimously requested the chairman to ask unanimous consent to agree to the Senate amendments, I thought the chairman should carry out the instruction of the committee and put such a request if he can be recognized for that purpose by the Speaker.

Mr. DEMPSEY. I am quite certain that the chairman has done all that he could do, and the chairman is doing all that can be done.

Mr. McDUFFIE. That begs the question.

Mr. DEMPSEY. No; it does not.

Mr. McDUFFIE. The question I raise is why the chairman does not carry out the instructions of his committee. That is the proposition.

Mr. CRAMTON. If that request had been made it would have been objected to, because there is no print of the bill showing the Members of the House what the amendments are, but if the bill is sent to conference there will be such a print.

Mr. McDUFFIE. I beg the gentleman's pardon. The Senate amendments are set out in the bill copies of which were available last Saturday.

Mr. CRAMTON. I have not been able to get a copy of them.

Mr. FREAR. So that the House may know something about the facts which are being discussed in this casual way, will the gentleman, chairman of the committee, tell the House what was the amount of the rivers and harbors bill when it passed the House?

Mr. DEMPSEY. The authorizations for expenditures were \$110,000,000.

Mr. FREAR. What were they approximately when the bill passed the Senate?

Mr. DEMPSEY. One hundred and thirty-eight million dollars.

Mr. FREAR. The gentleman from Alabama, a member of the committee, criticizes the chairman because he will not ask to have the bill rushed through the House instead of sending it to conference. I would object to such a course in view of the chairman's statement I am frank to tell the gentleman.

Mr. TILSON. The gentleman will admit this is the orderly way to do it and that the bill should go to conference.

Mr. McDUFFIE. I am not objecting to its going to conference at all, but I thought the other way would be the quicker way to consider it.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if the bill was referred to the committee after it returned from the Senate.

Mr. DEMPSEY. I will say to the gentleman that the Senate bill was taken up by the Committee on Rivers and Harbors and a very careful abstract of the Senate amendments was made.

Mr. LAGUARDIA. But it was not referred by the House to the committee, was it?

Mr. DEMPSEY. It was considered by the committee and all of the Senate amendments were considered in detail.

Mr. LAGUARDIA. The committee did not have the bill officially before it, did it?

Mr. DEMPSEY. Well, I would not say it did have. I do not know.

Mr. LaGUARDIA. Therefore, the committee had no authority to pass upon these amendments at all and the bill is still under the control of the House.

Mr. McDUFFIE. But the committee had a copy of the bill before it and considered these amendments.

Mr. LaGUARDIA. But the House did not lose control of the bill by referring it to the committee.

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object, as a matter of fact, the bill was messaged to the House on Saturday after the committee had met, but that is immaterial.

Mr. DEMPSEY. On Friday.

Mr. CHINDBLOM. It was messaged on Saturday, as shown by the Record. However, I will say this: There are many amendments in the bill which some of us think ought to receive the consideration of the conferees. I have in mind, as everybody would know, the Illinois waterway proposition, in which some of us are very much interested. The House provision passed the House without any objection. It was stated openly that everything was satisfactory and agreeable, but in the other body a very material change has been made. An amendment has been placed upon the bill which subjects the Illinois waterway to a decree of the Supreme Court of the United States, which related entirely to the question of using water for sanitation and not at all to matters of waterway transportation, and I am hoping that the conferees will find some way in the consideration of that amendment and of that matter at least to provide for a little earlier survey than the action of the Senate is willing to give us, so that the survey can be begun as early as other surveys are begun and that the survey shall not have to wait until the whole waterway has been completed before the Secretary of War can proceed.

Mr. DEMPSEY. Let me say that it would not be necessary for the conferees or for the House to act upon that particular matter. Under the law the two committees have jurisdiction to pass on surveys, and we could pass a resolution for a survey at any time with regard to such a project.

Mr. CHINDBLOM. Does the gentleman think the general law will apply when this law, which is subsequent to it, makes special provision with reference to a study of the Illinois waterway?

Mr. DEMPSEY. Both laws will be in force, and as the action of the committee would be subsequent to the action of the Congress, the action of the committee would be the one which would prevail.

Mr. CHINDBLOM. But the Senate provision provides that as soon as practicable after the Illinois waterway shall have been completed, then the study shall be made. However, I am certain the conferees will give consideration to that question, and I withdraw my reservation of objection.

Mr. Speaker, under the leave to extend my remarks, I wish to call attention to the declaration of Special Master—now Chief Justice—Hughes to the Supreme Court of the United States, in his report in the consolidated cases, involving the question of diversion of water from Lake Michigan into Sanitary District Canal at Chicago, which reads as follows:

Under the opinion of this court in the present suits the question of the allowance of the diversion of water from Lake Michigan in the interest of the waterway to the Mississippi is not deemed to be open to consideration.

When the States of Missouri, Kentucky, Arkansas, Mississippi, and Louisiana sought to be made defendants in the litigation on the ground of their rights and interests in the navigation of the Mississippi River, the Supreme Court, through Chief Justice Taft, said, on January 14, 1928:

They [the foregoing States] really seek affirmatively to preserve the diversion from Lake Michigan in the interest of such navigation and interstate commerce, though they have made no express prayer therefor. In our view of the permit of March 3, 1925, and in the absence of direct authority from Congress for a waterway from Lake Michigan to the Mississippi they show no rightful interest in the maintenance of the diversion. Their motions to dismiss the bills are overruled, and so far as their answer may suggest affirmative relief it is denied.

And still, in the Senate amendment, the flow of water for navigation purposes is fixed and limited by the decree of the court as to the amount of water that may hereafter be diverted for sanitation purposes alone through the Chicago Sanitary District Canal; and the Secretary of War and the Chief of Engineers are deprived of their usual authority in the control of navigable waters within the United States. Our hope must rest in the fairness and wisdom of future Congresses to give the great Middle West equal opportunities with sections more favorably located, as on the seaboard, in gaining an outlet to

the high seas for its wealth of agricultural and industrial production and its share of the commerce of the Nation.

Mr. CULLEN. Mr. Speaker, further reserving the right to object, New York is vitally interested in this bill and in some of the amendments put on in the Senate that will come up in the conference. I am not going to take the position of trying to retard the passage of this bill in any way. I am for the bill, but I do hope the conferees on the part of the House will insist and see that the amendment relative to the widening and deepening of Newton Creek in the harbor of New York City are kept in the rivers and harbors bill, and I am placing implicit confidence in the chairman of the Rivers and Harbors Committee to carry this out.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DEMPSEY, STRONG of Pennsylvania, and MANSFIELD.

CAMPAIGN EXPENDITURES OF CANDIDATES FOR THE HOUSE OF REPRESENTATIVES

Mr. SNELL. Mr. Speaker, I call up a privileged resolution from the Committee on Rules.

The SPEAKER. The gentleman from New York calls up a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 258

Resolved, That a special committee of five be appointed by the Speaker of the House of Representatives to investigate and report to the House not later than January 1, 1931, the campaign expenditures of the various candidates for the House of Representatives in both parties, the names of the persons, firms, associations, or corporations subscribing, the amount contributed, the method of expenditure of said sums, and all facts in relation thereto, not only as to the subscriptions of money and expenditures thereof but as to the use of any other means or influence, including the promise or use of patronage, and all other facts in relation thereto that would not only be of public interest but would aid the Congress in any necessary remedial legislation.

That said special committee, or any subcommittee thereof, is authorized to sit and act during the adjournment of Congress, and that said committee, or any subcommittee thereof, is hereby empowered to sit and act at such time and place as it may deem necessary; to require by subpoena or otherwise the attendance of witnesses, the production of books, papers, and documents; to employ stenographers at a cost of not exceeding \$1 per printed page. The chairman of the committee, or any member thereof, may administer oaths to witnesses. Subpoenas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee, or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

Said committee is authorized to make such expenditures as it deems necessary and such expenses thereof shall be paid on vouchers ordered by said committee and approved by the chairman thereof.

Mr. SNELL. Mr. Speaker, the wording of this resolution sets forth as clearly and distinctly the intent and purpose of the Rules Committee as anything I could say at this time.

The only thing I may add is that it is not the intention to set up a smelling or snooping committee to annoy Members of Congress. The only idea is that if some abnormal situation develops during the campaign and it seems to be necessary to look into it, the machinery will be ready to operate without any delay. This is the only purpose I know of in connection with the establishment of this investigating committee.

Mr. TILSON. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. TILSON. Is the resolution substantially in the same form and language as the one adopted two years ago for the same purpose?

Mr. SNELL. It is almost absolutely the same.

Mr. HASTINGS. Will the gentleman yield?

Mr. SNELL. I yield to the gentleman from Oklahoma.

Mr. HASTINGS. This is a House resolution?

Mr. SNELL. Yes.

Mr. HASTINGS. I have not had an opportunity to study the resolution. Does it come from the Committee on Rules?

Mr. SNELL. It does.

Mr. HASTINGS. As I heard it read from the desk, it authorizes this House committee to make an investigation of the expenditures of candidates for the Senate.

Mr. SNELL. Oh, no; the gentleman misunderstood it. It applies only to the House of Representatives.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. O'CONNOR of New York. Was there ever any report made of any investigation two years ago?

Mr. SNELL. I do not recall whether there was any formal report made, but they did some work at that time, and the effect of the work of that committee was brought to the attention of the House.

Mr. BLACK. A report was filed.

Mr. SNELL. Yes; I recall now that a report was filed.

Mr. LEHLBACH. Will the gentleman yield?

Mr. SNELL. I yield to the gentleman from New Jersey to answer that question.

Mr. LEHLBACH. I have here a copy of the report that was filed in accordance with that resolution.

Mr. O'CONNOR of New York. If the gentleman will permit another question, in his opinion is this resolution broad enough to prevent such a fiasco as happened in another body when a certain bishop of Brazil refused to give any information to a duly authorized committee of that body as to what use he had made, if any, of over \$60,000 in the 1928 political campaign? Is this resolution broad enough to force a contemptuous Cannon to testify?

Mr. SNELL. This resolution is just as broad as we knew how to make it, and if there is anything that is not covered, it was not left out intentionally; and I think this resolution is broad enough to cover the expenditures of any man who is a candidate for the House of Representatives, or any emergency that may arise.

Mr. O'CONNOR of New York. And if any person contributes for or against the election of any Member of the Congress in one State or in more than one State, does the gentleman believe this resolution is broad enough to compel that person to answer before this House committee?

Mr. SNELL. We think so. That is the intent of the resolution.

Mr. O'CONNOR of New York. I hope the very recent disgraceful occurrence in another body was definitely in the minds of the drafters of this resolution.

Mr. SNELL. It was not, because that gentleman is not a candidate for the House of Representatives.

Mr. O'CONNOR of New York. But the people of this country are entitled to know in these investigations who the person is who contributes toward the election or toward the defeat of a candidate, and how the money is spent, whether the spender is a candidate or an ecclesiastic.

Mr. SNELL. The language is—

The names of the persons, firms, associations, or corporations subscribing the amount contributed—

And so forth. This is just about as broad as we could make it.

Mr. O'CONNOR of New York. Well, let us hope we will not go through that recent experience again. Does this resolution apply to primaries at all?

Mr. SNELL. No.

Mr. KVALE. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. KVALE. The resolution which the gentleman has reported contains the language "any other means or influence."

Mr. SNELL. Yes.

Mr. KVALE. Is that put in in order to take care of campaign assertions and statements on the part of various candidates?

Mr. SNELL. I guess we could not go quite as far as that.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. SNELL. I yield to the gentleman from Georgia.

Mr. BRAND of Georgia. Was there any special reason why you excluded primary elections?

Mr. SNELL. Why, no. There was not any special reason one way or the other, only as a usual thing we do not go into primaries.

So far as I know, Mr. Speaker, there is no desire to discuss the resolution further, and I move the previous question.

The previous question was ordered.

The resolution was agreed to.

WORLD WAR VETERANS' BILL

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Control of the veterans' bill in the House having passed to the minority and the bill having gone to the Senate and back, I would like to know if I would be recognized as the ranking minority member of the Veterans' Committee to ask unanimous consent to take the bill from the Speaker's table and agree to the Senate amendments.

The SPEAKER. It would be in order provided the Chair recognized the gentleman.

Mr. RANKIN. I asked if the Chair would recognize me for that purpose?

The SPEAKER. The Chair would not recognize the gentleman for that purpose.

Mr. RANKIN. I do not want to embarrass the Chair.

The SPEAKER. The gentleman is not embarrassing the Chair at all.

Mr. RANKIN. I would like to ask the gentleman from Connecticut a question. When will the veterans' bill come up in the House?

Mr. TILSON. To-morrow it may be, and certainly by Thursday, I should hope.

Mr. RANKIN. Many Members have asked me if the bill would be taken up to-day, and my answer was that I hoped so.

Mr. TILSON. I should not like to have it called up to-day; the membership ought to have time to study the bill as it came back from the Senate, and a day is not too long a time to make the study.

Mr. RANKIN. Then, as I understand the gentleman, it will not be called up to-day?

Mr. TILSON. As far as my understanding goes, the Speaker will not recognize anybody to call it up to-day. I know of no way to call it up unless the Speaker recognizes some one for this purpose.

Mr. RANKIN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Will the veterans' bill be taken up to-day?

The SPEAKER. The Chair is not informed.

Mr. RANKIN. I am not trying to be facetious with the Chair, but a great many Members have asked me if it would come up to-day; but, of course, if the Chair will not recognize anyone to take it up I know that it will not come up.

The SPEAKER. The Chair does not think that is a parliamentary inquiry.

Mr. SNELL. I should object to its being taken up to-day, anyway.

Mr. TILSON. One Member can object and thus prevent its being taken up.

Mr. RANKIN. I am sorry the gentleman from New York [Mr. SNELL] objects. I had hoped that we might take the bill up to-day and agree to the Senate amendments.

BRIDGE ACROSS THE COLUMBIA RIVER BETWEEN LONGVIEW, WASH., AND RAINIER, OREG.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to take the bill S. 4577, a bridge bill, from the Speaker's table and consider it, a similar House bill being on the calendar. It is a case of an emergency.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

An act (S. 4577) to extend the time for completing the construction of a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg.

Whereas in order to complete technically the bridge across the Columbia River at Longview, Wash., it is necessary to allow the macadam roadbed to settle for approximately two years before putting on the concrete surface: Therefore

Be it enacted, etc., That the time for completing the construction of the bridge across the Columbia River between Longview, Wash., and Rainier, Oreg., authorized to be built by W. D. Comer and Wesley Vandercook by act of Congress approved January 28, 1927, which time was extended to June 1, 1930, by act of Congress approved December 26, 1929, is hereby further extended to June 1, 1932.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

The preamble was stricken out.

A motion to reconsider was laid on the table.

THE FOREST SERVICE

The SPEAKER. The Clerk will call the Consent Calendar, beginning at the star.

The first business on the Consent Calendar was the bill (H. R. 10782) to facilitate and simplify the work of the Forest Service.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That so much of the act approved March 4, 1913, as provides: "That hereafter the Secretary of Agriculture is authorized to reimburse owners of horses, vehicles, and other equipment lost, damaged, or destroyed while being used for necessary fire fighting, trail, or official business, such reimbursement to be made from any available funds in the appropriation to which the hire of such equipment is properly chargeable." (Sec. 502, title 16, U. S. C.) is hereby amended

to read as follows: "The Secretary of Agriculture is authorized, under such regulations as he may prescribe:

"(a) To hire or rent property from employees of the Forest Service for the use of officers of that service other than use by the employee from whom hired or rented, whenever the public interest will be promoted thereby.

"(b) To provide forage, care, and housing for animals, and storage for vehicles and other equipment obtained by the Forest Service for the use of that service from employees.

"(c) To reimburse owners for loss, damage, or destruction of horses, vehicles, and other equipment obtained by the Forest Service for the use of that service from employees or other private owners: *Provided*, That payments or reimbursements herein authorized may be made from the applicable appropriations for the Forest Service: *And provided further*, That except for fire-fighting emergencies no reimbursement herein authorized shall be made in an amount in excess of \$50 in any case unless supported by a written contract of hire or lease."

With the following committee amendments:

Page 2, line 6, strike out "prompted" and insert "promoted."

Page 2, line 6, after the word "thereby," strike out the period and insert a semicolon and add the following language:

"*Provided*, That the aggregate amount to be paid permanent employees under authorization of this subsection, exclusive of obligations occasioned by fire emergencies, shall not exceed \$3,000 in any one year."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

THE COTTON-OIL MILLS OF THE SOUTH

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert a short statement of the cottonseed hearing before the Federal Trade Commission.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FULMER. Mr. Speaker and gentlemen of the House, on February 14 I addressed the House making certain charges against the cotton-oil mill industry that were denied by the representatives of this industry. On June 11 I extended my remarks and included therewith concrete facts from independent and commission buyers of seed, as well as ginner and others to prove my contentions. I hope you will honor me by reading these remarks.

Under a resolution passed some time ago the Federal Trade Commission has been conducting hearings and investigating these charges, with Mr. W. W. Shepperd, son of ex-Governor Shepperd of South Carolina as examiner and Mr. Wooden as attorney, representing the commission. My charges were that this industry, especially since the Memphis Trade Practice Conference held in 1928, were enjoying a hog-tied monopoly, fixing prices both in buying cottonseed and selling their products. I further charged that they were making loans on gin plants and buying and building gin plants, as well as buying up and forcing out independent cotton oil mills so that they would be able to have a complete control in price fixing.

You should read what cottonseed dealers, both commission and independent buyers, ginner, and others, have to say about these charges which are inserted in my remarks in the RECORD, June 11. We find in the hearings before Mr. WATSON, the examiner, with Mr. Ashbury representing the Southern Cotton Oil Co., relative to the charge in connection with buying up and forcing out independent cotton oil mills, absolute proof of this charge but you do not see anything in the press about Mr. Asbury's testimony. The men sent out by the Federal Trade Commission to investigate the files of Cotton Oil Mills and Christie Benet, the attorney for this industry, found in Mr. Benet's files plans which were worked out by the Southern Cotton Oil Co., Buckeye Cotton Oil Co., and the Swift Cotton Oil Mill Co., which is absolute proof of this charge. All of this has been going on for some time, but especially during 1929.

We are going to have these hearings printed, and those of you who are interested should get copies and read them. These three companies had surveys made in several of the Southern States. Especially were surveys made in Alabama, South Carolina, North Carolina, and Georgia, as will be shown by the hearings. They listed all mills to be bought, and by so doing the number of tons of seed that would be available for these three mills per press per year, as well as the amount of money needed in each State, to carry through their high-handed scheme.

LISTEN TO MR. ASBURY'S TESTIMONY

Mr. Asbury was asked this question by Mr. Wooden:

With whom did you discuss these plans and surveys?

Mr. ASBURY. I discussed the matter with Mr. Geohagan. He is the man who is most interested in working out these plans from a financial point of view and otherwise in our company. I also discussed these plans with Mr. Phil Lamar, who runs an oil mill at Rome, Ga., and with Mr. Palmer Brown, of the National Cottonseed Products Co., in Memphis, Tenn.

Mr. WOODEN. Have you discussed it with the Buckeye and Procter & Gamble interests?

Mr. ASBURY. Yes; I have discussed it with them; yes, sir.

Mr. WOODEN. Have you discussed it with Swift & Co.?

Mr. ASBURY. Yes; I was in Chicago last year and talked with the Swift people.

SOUTHERN COTTON OIL CO. AS A LEADER

Mr. Asbury stated that these surveys and plans were drafted in the office of the Southern Cotton Oil Co. at New Orleans, and that Buckeye had made drafts and surveys also. The statements showed that in South Carolina they would have about 205,000 tons of seed to crush if they could get rid of the independent mills which would give these three companies 3,300 tons per press per year and the amount that would be needed to take over the independent mills in South Carolina would be \$2,990,000.

In the case of Georgia, in taking over the independent mills it would give these three companies 2,600 tons per press per year and to purchase the mills in that State it would take \$3,050,000.

It was understood in Alabama that the Kidd Cotton Oil Mill interests were to join with the Southern, Swift, and Buckeye Co., because, as stated by Mr. Asbury, they could not buy out this company. These four companies would have 3,500 tons per press per year and it would cost \$1,660,000 to take over the Alabama independent mills.

LISTEN TO THIS QUESTION

Mr. WOODEN. Why did you plan to take over the Allen and Dothan Mills and not the Kidd Mill?

Mr. ASBURY. Well, I think it would have been easier to have bought them out than it would have been to get the Kidd one. Kidd has a hull plant; therefore, it would not have been easy to get his hull plant.

You will find Mr. Kidd was at the head of the Alabama division of the association at the time he was to be made a part and parcel of the price-fixing scheme.

THE TESTIMONY SHOWS THAT THEY HAD OPTIONS

Mr. WOODEN. Did you talk to Mr. Lamar about these plans?

Mr. ASBURY. I think Mr. Lamar got some options on mills in Georgia. (This was in 1929.)

Mr. WOODEN. Did you have options, obtain options on mills, besides the ones Mr. Lamar obtained?

Mr. ASBURY. Yes; there were options obtained on a number of mills.

Mr. WOODEN. In other States?

Mr. ASBURY. Yes.

Mr. WOODEN. By whom were they obtained?

Mr. ASBURY. I do not know. Mr. Geohagan handled that part of the matter.

Mr. WOODEN. Did they get options on mills in South Carolina?

Mr. ASBURY. I think; yes.

Mr. WOODEN. Do you know who obtained these?

Mr. ASBURY. My impression is that perhaps Mr. John Stephens did, but I am not sure.

Mr. WOODEN. How was this whole matter to be financed?

Mr. ASBURY. You are asking me a big question.

Mr. WOODEN. You had your plans made, did you not?

Mr. ASBURY. We were trying. We did not get that far. First we had to find out or wanted to get some light on the financial side; that is, how much it would take to finance it.

CORPORATIONS WERE PLANNED

Mr. Asbury further stated that plans were formulated to form a corporation in each State to take over the independent mills.

ADDITIONAL TESTIMONY FROM THE HEARINGS

Mr. WOODEN. The new corporations were to take over the mills that they would acquire?

Mr. ASBURY. I think it was discussed to take over the mills and to organize the industry in the States on a basis that would enable them (the Southern, Buckeye, and Swift) to crush the seed in an economic way at a reasonable cost and on a basis that we could make money.

MR. ASBURY LETS THE CAT OUT OF THE BAG

Mr. WOODEN. Are you familiar with anything relating to the taking over of the Marion Harper Cotton Oil Co.?

Mr. ASBURY. I think Mr. Lamar, who later bought the Rome (Ga.) mill, had the Marion Harper Mill. We were satisfied with Mr. Lamar. He used to belong to our company.

Mr. WOODEN. There were certain specific reasons for involving in the proposed plans the taking over of the Marion Harper Mill?

Mr. ASBURY. I hardly know how to say this if it is going in the record.

Mr. WOODEN. Can I help you out?

Mr. ASBURY. Well, one reason is that Mr. Harper is a leading intermittent type of seed operator. I am telling you what I know, or rather what I think about it. When Georgia adopted the "Code of trade practices," Mr. Harper attended the conference. He remained and indicated his willingness to operate under the code. Mr. Harper says, "I am for the code of trade practices." He did not oppose it, yet he did not work under it and proposed to operate as he saw fit and in whatever way he could, buying seed at whatever price he could.

THE HARPER MILL WAS AN INDEPENDENT MILL

My friends, that is the attitude of all independent mills like Mr. Harper's. These mills are the ones that make the three large groups or mills pay a fair price for seed on a competitive basis. You will note also that Mr. Harper did not do what was intended in the code; that is, follow a set or fixed price by the State associations operating under the National association. Mr. Asbury further states: "Because of this I personally would prefer to have some one else run Mr. Harper's mills." Yes, Mr. Asbury and the three large mill operators mentioned in this deal would prefer that they take over all of the independent mills so that they would know that they would not have Mr. Harper's type to interfere with their plan of price fixing and highway robbery.

MR. ASBURY FURTHER TESTIFIES

Mr. WOODEN. In other words, Mr. Harper was not disposed to cooperate with the remainder of the industry?

Mr. ASBURY. I do not think it was a question of cooperation but a question of discrimination. My view is that I wanted to be able to look a man in the face and tell him that I am giving him the best price I can; also, telling him that I am dealing with him on the same basis that I am dealing with others (a fixed price).

Mr. WOODEN. And you would also like to be able to say that he could not do any better at any other place?

Mr. ASBURY. No.

But that is the position Mr. Asbury would aspire to. In fact, under the code indorsed by the Federal Trade Commission at Memphis last summer, Mr. Asbury and his outfit is just about in that position. They wanted to complete the job by buying the independent mills.

THIS COMBINATION PREFERRED TO PUT HARPER OUT

Mr. WOODEN. But you would like to be sure of that?

Mr. ASBURY. It is extremely difficult to do business in cottonseed or cottonseed oil for what the seed are worth. If I am buying cottonseed for \$30 per ton and somebody else is buying for \$31, the producer will naturally sell his seed to the man who pays the \$31. I may be able to get along for a while. I will either have to pay \$31 in order to get seed to run my mills or get out of the business.

Therefore, to keep the independent mills and independent buyers from making a competitive market by bidding up seed, they proposed to buy them out.

THIS WILL APPLY TO ALL INDEPENDENT MILLS

Mr. WOODEN. Isn't it a fact that this Marion Harper Oil Co. consistently tops the price of other mills?

Mr. ASBURY. Yes.

Mr. WOODEN. Is that not one of the reasons that the leaders in your groups in the business wanted to put them out?

Mr. ASBURY. Yes. Personally, I would like to have somebody else running their mills.

SOUTH CAROLINA ALREADY REDUCED FROM 102 TO 40 MILLS

A number of us started this fight last fall, and especially this spring, otherwise it is my belief that to-day these three giant cottonseed-oil mill operators would have carried out their plans and would have taken over these independent mills. South Carolina mills have already been reduced, scrapped, and junked, or closed up during the past 20 years from 102 mills in 1909 to 40 mills to-day. These concerns practically own all of the mills now.

It may interest you to know that there are two kinds of mills that are interested in crushing cottonseed. The first group is the independent oil mill that is owned by local people usually, and is not engaged in the business of refining the crude oil that it crushes from the cottonseed, but sells the crude oil to re-

fineries. These are the mills that are gradually being bought up and scrapped or forced out of business. These mills being locally owned are interested in a fair price for cottonseed as well as a fair price for oil and other cottonseed products. The farmers are their best customers.

The second group is the refinery group, owned by Procter & Gamble Co., at Cincinnati; Southern Cotton Oil Co., at New Orleans; and Swift & Co., of Chicago, and a few other concerns. They own a large number of cottonseed-oil mills in the South, and they crush the seed for the oil, not to sell to some one else but for the purpose of using it in their own refineries. Each one of these refineries buys a great deal more oil than it produces. So it is to their interest that cottonseed oil remain cheap. The cheaper cottonseed oil is the more profit they will make on the finished product.

The Southern Cotton Oil Co., Buckeye, and Swift Cotton Oil Mills will tell you to-day that they are losing money. Perhaps if you could check the books of the crushing mills located in the South owned by the Southern, Buckeye, and Swift you would find this true, but these mills in the last analysis are owned by the Wesson Oil & Snowdrift Co., New Orleans; Procter & Gamble Co., Cincinnati; and Swift & Co., Chicago. Two of these are also large meat packers and fertilizer people.

The place to find the profits of these birds is on the books in their main offices—New Orleans, Cincinnati, and Chicago. Mr. PATMAN, of Texas, who has given more time and hard work to this matter than any other Congressman, gives us the following figures: The common-stock holders of Procter & Gamble Co. have invested \$25,000,000 and their profits annually are averaging from \$15,000,000 to \$19,000,000. Another interesting phase in connection with this subject is the independent group of cotton-oil mill men want a tariff on foreign oils as they are deeply interested in a better price for cottonseed oil, which would mean a better price for cottonseed, to be helpful to the farmers. However, the refiners—Procter & Gamble Co., Wesson Oil & Snowdrift Co., and Swift & Co.—oppose a tariff because they do not care how cheap cottonseed oil sells for. The cheaper the price of cottonseed oil the more money they can make in the refining business and other lines.

I am assured that the examiners who are conducting these hearings will visit my State, South Carolina, later; at which time I propose to have some startling facts presented for the record by my people, who are being hog tied and robbed.

The hearings are now going on in Atlanta and will be conducted in other Southern States. I hope that you Members representing cotton States will inform your people and have them go before these examiners to present the facts that exist in your State, which is equally as bad as it is in South Carolina. I know of no better work you can do as a Representative in Congress than to help break up this giant octopus that is reaching out, taking over, and freezing out every vestige of competition in the marketing of this very important southern product.

AIR-MAIL FLYERS' MEDAL OF HONOR

The next business on the Consent Calendar was the bill (H. R. 101) for the award of the air-mail flyers' medal of honor.

The SPEAKER pro tempore. Is there objection?

Mr. GREENWOOD. Mr. Speaker, I reserve the right to object, to inquire whether this is to be a substitute for the regular medal given by Congress for distinguished service?

Mr. KELLY. Not in the slightest.

Mr. GREENWOOD. It does not conflict with the regular congressional medal?

Mr. KELLY. There is no conflict whatever. This applies to air mail flyers and is based, rather, on the bill passed in 1905, which provides for medals for those who save lives on railroads.

Mr. STAFFORD. Has the gentleman acquainted himself with the phraseology of the act under which the President awards congressional medals of honor to those who distinguish themselves on fields of battle?

Mr. KELLY. Yes; that was taken into consideration.

Mr. STAFFORD. I notice that the phraseology is slightly different from that of existing law. Under existing law the language is that the President is authorized to confer, and so forth. In the pending bill the language is:

That under such rules and regulations as he may prescribe, the President is hereby authorized to present—

In this bill you put in some qualifying clauses to the effect that under such regulations as he may prescribe he may do so and so. I think it is better form to use the language used in the present law.

Mr. KELLY. I have no objection to the gentleman offering such an amendment.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That under such rules and regulations as he may prescribe, the President is hereby authorized to present, but not in the name of Congress, an air-mail flyer's medal of honor, of appropriate design, with accompanying ribbon, to any person who, while serving as a pilot in the air mail service since May 15, 1918, has distinguished, or who, after the approval of this act, distinguishes himself by heroism or extraordinary achievement while participating in such service: *Provided*, That no more than one distinguished flying cross shall be issued to any one person, but for each succeeding act or achievement sufficient to justify the award of an air-mail flyer's medal the President may award a suitable bar or other suitable device to be worn as he shall direct. In case an individual who distinguishes himself shall have died before the making of the award to which he may be entitled, the award may nevertheless be made and the cross or the bar or other device presented to such representative of the deceased as the President may designate, but no cross, bar, or other device hereinbefore authorized shall be awarded or presented to any individual whose entire service subsequent to the time he distinguishes himself has not been honorable.

With the following committee amendments:

Page 2, line 1, strike out the words "distinguished-flying cross" and insert "air-mail flyer's medal of honor."

Page 2, line 9, strike out the word "cross" and insert the word "medal."

Page 2, line 11, strike out the word "cross" and insert the word "medal."

The committee amendments were agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 1, line 3, after the word "that," insert the words "the President is hereby authorized" and strike out on page 1, line 4, the words "the President is hereby authorized."

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

SURVEY OF CERTAIN PUBLIC LANDS

The next business on the Consent Calendar was the bill (H. R. 7254) to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Mr. Speaker, I reserve the right to object, in order to ask some questions about this bill. It seems to be, from a casual reading, an attempt to give back some survey fees to the railroad companies.

Mr. ARENTZ. Mr. Speaker, if the gentleman will allow this to pass over until the gentleman from Utah [Mr. COLTON], chairman of the Public Lands Committee, comes back, I think he can get the information he wants. I ask that the bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

Mr. STAFFORD. With the understanding that it may be returned to to-day.

Mr. COLLINS. I do not like to agree to that. I am not going to be on the floor after 3 o'clock.

Mr. GREENWOOD. I have some questions I desire to ask, too.

Mr. ARENTZ. I assure the gentleman that the gentleman from Utah will be here within a very few minutes.

COMPILATION OF LAWS RELATING TO COMMON CARRIERS

The next business on the Consent Calendar was Senate Concurrent Resolution 22, to print and bind additional copies of Senate Document No. 166, Seventieth Congress, entitled "Interstate Commerce Act, Annotated."

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object in order to inquire whether it is the intention that the copies for the use of the House shall be distributed through the folding room.

Mr. PARKER. I am not the author of the resolution. This is a Senate resolution.

Mr. STAFFORD. I think the resolution should be made explicit, because this publication will be of value to the Members of the House and I think each Member of the House would

want to have his full quota of the publication. I shall offer an amendment to provide for that.

Mr. COCHRAN of Missouri. The trouble with the resolution is that you are not providing for a sufficient number of copies in view of the amount of money that has already been spent to compile these documents. As I understand from the Joint Committee on Printing, the plates are ready and the presses are ready to move just as soon as the Congress decides how many copies should be printed. It is a valuable document.

Mr. STAFFORD. This is a good starter, and the plates will be retained so that if additional copies are needed hereafter the plates will be in readiness for further copies.

Mr. COCHRAN of Missouri. I agree with the gentleman that the amendment he suggests should be added to the bill. What we do receive should come through the folding room.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound 4,700 additional copies of Senate Document No. 166, Seventieth Congress, entitled "Compilation of Federal Laws Relating to the Regulation of Carriers Subject to the Interstate Commerce Act, with Digest of Pertinent Decisions of the Federal Courts and the Interstate Commerce Commission and Text or References to General Rules and Regulations," of which 1,000 copies shall be for the use of the Senate; 2,500 copies for the use of the House of Representatives; 100 copies for the use of the Committee on Interstate Commerce of the Senate; 100 copies for the use of the Committee on Interstate and Foreign Commerce of the House of Representatives; and 500 copies for each of the Printing Committees of Congress.

With the following committee amendments:

Page 1, line 2, strike out "4,700" and insert "2,200."

Page 1, line 10, strike out "1,000" and insert "500."

Page 1, line 11, strike out "2,500" and insert "1,500."

Page 2, line 2, after the semicolon, following the word "Senate," insert the word "and."

Page 2, line 4, after the word "Representatives," strike out the comma and the words "and 500 copies for each of the Printing Committees of Congress."

The committee amendments were agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 1, line 12, after the word "Representatives," insert "to be distributed through the folding room."

The amendment was agreed to; and as amended the concurrent resolution was agreed to.

A motion by which the concurrent resolution was agreed to was laid on the table.

AMENDMENT OF SECTION 355 OF THE REVISED STATUTES

The next business on the Consent Calendar was the bill (S. 3068) to amend section 355 of the Revised Statutes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, this seems to be rather an important bill, which will permit the Government to accept a certificate of title issued by a title company in lieu of an abstract of title, which has been the former practice in passing upon titles of property purchased by the Government.

Only on Sunday last I was reading in the Sunday issue of the New York Times, in the real-estate section, where a writer pointed out the many instances of defects in title arising after the transaction had been completed and the purchaser had made valuable improvements on the assumption he had a good title, but learned later that he had not.

The Attorney General sets out in his report that there is considerable delay occasioned by the present method of securing abstracts of title. Now, we are going to accept certificates in lieu thereof, only to find out later that the title was not as the title company had stated it to be in the certificate.

Mr. O'CONNOR of New York. Would not the gentleman, as a lawyer, prefer a certificate of title of a title company to an abstract of title by the Attorney General?

Mr. STAFFORD. I would prefer an abstract of title, which will be acceptable to the law officers of the Government.

Mr. O'CONNOR of New York. I am quite sure most lawyers would not advise their clients to accept title on a mere opinion of the Attorney General, whoever he might be. Furthermore, the title to the property ought to be insured by the title company as well as certified.

Mr. HICKEY. That was objected to by a distinguished Representative from the State of New York.

Mr. O'CONNOR of New York. Title companies are undoubtedly better equipped to pass upon titles than the Attorney General or any lawyer. The title companies have probably complained that they have not been getting any business from the Government, and therefore this bill. But if the Government is going to have a "certificate of title," it ought also to have the most valuable part of the title service, the insurance feature.

Mr. HICKEY. In many cities over the country there are no title-insurance companies. The only purpose of the bill is to expedite action in certain cases. The hearings show that in order to expedite action in acquiring titles this bill would be of service.

I wish also to say that it does not change the present law except in the proviso. The law is precisely as it is now except the proviso, and the essence of the proviso is in lines from 21 to 24. It will simply enable the Attorney General in certain cases to take a certificate of a title company and thus enable the Government to proceed with the construction of buildings.

My distinguished friend from Wisconsin [Mr. STAFFORD] has referred to opinions of the Attorney General. In fact, the Attorney General and the Attorney General's office are often unable to give an opinion on titles in far distant States, in California and other States. They must go to competent attorneys residing in those places in order to get an opinion, not being familiar with the laws of certain States as they affect titles to real estate.

Mr. O'CONNOR of New York. I do not object to that. I think that is the thing to do if there is no title company. If, however, the Attorney General is given the power to refer the question of a title, we will say to a piece of New York property, to a title company, and instead of that has a New York lawyer pass on it, he ought to be removed. Of course, in some places they do not have title companies. But the additional point I make is that the insurance feature is more important.

Mr. LA GUARDIA. The matter came up in committee. That would be the function of the title company, opening up a title for the claimant. It would not benefit anybody. The Government is in possession.

Mr. O'CONNOR of New York. You mean if the Government takes a defective title?

Mr. LA GUARDIA. He gets the perfect title.

Mr. O'CONNOR of New York. I am talking about the Government getting a defective title. If it had title insurance it would be protected.

Mr. MICHENER. The Government would not take the title unless it is perfect.

Mr. O'CONNOR of New York. I am talking about defects that show up later. The Government takes title from an individual, for instance, and later on—30 years after—we will say a defect turns up. The Government should have title insurance whereby the title company guarantees any losses up to the amount of the insurance paid for.

Mr. MICHENER. The point which the gentleman from New York [Mr. LA GUARDIA] is making is that the Government is in possession and suit can not be brought against the Government to put it out.

Mr. O'CONNOR of New York. The Government would be the one to bring suit in the supposed case I mentioned.

Mr. MICHENER. Why should they?

Mr. LA GUARDIA. They hold the property.

Mr. MICHENER. They are in possession.

Mr. O'CONNOR of New York. Suppose they have received something less than it was agreed they were to get.

Mr. LA GUARDIA. They are in possession. Nobody can attack them.

Mr. MICHENER. I agreed with the gentleman in the beginning, but I was satisfied before we had finished that it was not necessary.

Mr. O'CONNOR of New York. I am not satisfied.

Mr. WILLIAMSON. Do not the title companies guarantee title when they issue a certificate certifying that the title is in the grantor?

Mr. O'CONNOR of New York. I do not know what this "certificate of title" means. A title company does two things. It certifies the title or makes an abstract of title or gives an opinion on the title. Then they have the insurance feature. I do not know that this language "certificate of title" is known generally.

Mr. WILLIAMSON. Is not a certificate equivalent to an insurance policy?

Mr. O'CONNOR of New York. I do not know. There is no such language known in New York as "a certificate of title." The insurance feature is a "title policy."

Mr. WILLIAMSON. In most States such people are licensed and they give bond, and their title is equivalent to an insurance policy.

Mr. O'CONNOR of New York. That may be in some States, but I do not think it is true in New York.

Mr. LA GUARDIA. I will say that the insurance would run up to a very large item. The gentleman is familiar with the premiums in New York. Since the Government takes title, it would never have to be a plaintiff. Some one would have to attack its title, and the insurance company would simply hide behind the Government. As the gentleman knows, they resort to every defense, so that we would be paying the premiums for no insurance.

Mr. O'CONNOR of New York. I am not so sure of that.

Mr. STAFFORD. What have the members of the Committee on the Judiciary to say on the proposition of a certificate of title from one of these companies who did not have anything back of it? If there was a defective title, what is the recourse of the Government?

Mr. LA GUARDIA. The Government can go and take, as the gentleman knows. No one can take the title of the Government once it is in possession. The purpose of using the title company was to have the machinery there to search the title, and, as the gentleman knows, many times an assistant district attorney has no experience to make the proper search while these title companies have the machinery to make the search.

Mr. STAFFORD. I do not know specifically the practice of all the leading insurance companies of the country when placing loans on properties in distant States, but I am under the impression that the practice of that company which is known throughout the country and perhaps throughout the world, which has its home office in my city, the Northwestern Life Insurance Co., does not accept certificates of title, but examines the abstracts as furnished by the mortgagor.

Mr. WILLIAMSON. I know of no State in the Union where a company is permitted to issue either abstracts of title or title certificates without operating under the law and having certain liabilities fixed by law, which is usually a very heavy bond put up to guarantee that their certificate is good.

Mr. O'CONNOR of New York. There is no such system as that in New York.

Mr. STAFFORD. Our practice is to have abstracts of title, which individual lawyers examine and determine whether the title is a good marketable title.

Mr. WAINWRIGHT. As far as the city of New York is concerned, in the so-called metropolitan region, taking in all of New Jersey, the business is entirely in the hands of title companies. Nobody ever dreams to-day of having a title searched by a lawyer.

Mr. STAFFORD. I shall not interpose objections, although I question whether the Government should go ahead and erect expensive public buildings simply upon a certificate of title of some so-and-so company.

Mr. WAINWRIGHT. Is there any reason why the Government should not be put in exactly the same position as any prudent purchaser of real estate?

Mr. O'CONNOR of New York. Surely not. Suppose the title policy does cost something. Most prudent purchasers consider the small cost a good investment.

Mr. STAFFORD. I am receding because in the discussion I have learned that this is the practice in other States, different from that in my own State. I am trying to conform my views to that which prevails in other States.

Mr. MICHENER. This is simply modernizing the law. That is all it does.

Mr. STAFFORD. I withdraw the objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 355 of the Revised Statutes of the United States (U. S. C., title 33, sec. 733; title 34, sec. 520; title 40, sec. 255; and title 50, sec. 175) be, and the same is hereby, amended to read as follows:

"SEC. 355. No public money shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any armory, arsenal, fort, fortification, navy yard, customhouse, lighthouse, or other public building of any kind whatever, until the written opinion of the Attorney General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land or site may be, to such purchase, has been given. The district attorneys of the United States, upon the application of the Attorney General, shall furnish any assistance or information in their power in relation to the titles of the public property lying within their respective districts. And the secretaries of the departments, upon the application of the Attorney General, shall procure any additional evidence of title which he may deem necessary, and which may not be

in the possession of the officers of the Government, and the expense of procuring it shall be paid out of the appropriations made for the contingencies of the departments, respectively: *Provided, however*, That in all cases of the acquisition of land or any interest therein by the United States for the purposes herein specified or for other purposes, wherein the written opinion of the Attorney General in favor of the validity of the title of such land is or may be required or authorized by law, the Attorney General may, in his discretion, base such opinion upon a certificate of title and/or policy of title insurance, in such amount as the purchasing authority may require."

With the following committee amendment:

On page 2, beginning in line 22, after the word "title," strike out the remainder of the section and insert the words "of a title company."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended.

BRIDGE ACROSS THE RAINY RIVER

The next business on the Consent Calendar was the bill (H. R. 12233) authorizing the Robertson & Janin Co., of Montreal, Canada, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at Baudette, Minn.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COCHRAN of Missouri. Mr. Speaker, reserving the right to object, I notice this is an international toll bridge. Section 3 makes the laws of Minnesota in reference to the rate of tolls applicable, but strikes out Canada. Will the gentleman explain why the laws of Canada are not made applicable as well as the laws of Minnesota.

Mr. KNUTSON. I really could not give the gentleman that information, I am sorry to say.

Mr. COCHRAN of Missouri. What is the situation with reference to this bridge? Who is to build it? Is the bridge necessary?

Mr. KNUTSON. There is dire need for it, I may say to my good friend from Missouri. At the present time there is being operated a ferry which makes hourly trips. In the tourist season much inconvenience is caused by reason of the fact that the capacity of the ferry is very limited. As I recall, its capacity is about four cars, and there are times when there will be a long string of cars that can not be accommodated, and they are obliged to wait for another hour.

Mr. LA GUARDIA. My objection to the bill is that this is an international bridge and it provides for a private toll bridge, with no conditions at all imposed. I want to call the attention of the gentleman from Minnesota to an ideal international bridge bill, a bill which provides a satisfactory arrangement and is perfectly just to the traveling public. I refer to the bridge bill proposed by the gentleman from Michigan [Mr. Cramton], which protects both countries and the traveling public. Here you have a private toll bridge with no limitations at all.

Mr. PATTERSON. I will say to my good friend from Minnesota—

Mr. KNUTSON. I hope the gentleman will not object.

Mr. PATTERSON. As much as I think of my good friend from Minnesota, if this is a private toll bridge, I must object.

Mr. KNUTSON. Will the gentleman withhold his objection?

Mr. PATTERSON. I withhold it.

Mr. KNUTSON. The Dominion of Canada has already granted the necessary permission for this bridge to be constructed. There is need for it and there is not another bridge within 75 miles.

Mr. PATTERSON. Let us have it modeled on the plan of the gentleman from Michigan [Mr. Cramton], and I will not object, but if it is an ordinary private toll bridge from its inception, and with no limitation on the amount of tolls to be charged, I must object.

Mr. KNUTSON. Why should the gentleman object? There is no idea of issuing bonds. It is a wealthy Canadian concern that wants to put a bridge at this place.

Mr. LA GUARDIA. That is all the more reason why it is objectionable. There is a bill on the calendar providing for the construction of a bridge between Texas and Mexico, to which I am going to object, and this bill is in the same category.

Mr. PATTERSON. Mr. Speaker, I must object for the present.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. PATTERSON. I will yield that much to the gentleman. The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

PROHIBITION

Mr. SPARKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of prohibition.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD on the subject of prohibition. Is there objection?

There was no objection.

Mr. SPARKS. Mr. Speaker and Members of the House, one of the outstanding problems that has confronted the people of this country, from the time when the sturdy pioneers undertook to carve from the wilderness a home for themselves and loved ones down through the successive steps of our national development, has been the liquor problem which has engrafted its debauching and degrading influences into the social and economic life of our country.

The crystallized wisdom of American statesmen could not evolve a successful plan for the orderly distribution of intoxicating liquor whereby its debasing influences might not pollute the fabric of Government and leave a slimy trail of corruption, crime, and poverty along our national pathway. A justly indignant people arose in their might and declared that intoxicating liquor should no more receive, in its making and distribution, the sanction of the law, but from thenceforth it should be an outlaw.

After the adoption of the eighteenth amendment and its enforcing provisions many of its sympathizers and State enforcing agencies that were favorable thereto relaxed their efforts and thereby thrust upon the Federal Government the task of enforcement. A huge responsibility so suddenly thrown upon an already heavily burdened department of the Government became a task of great magnitude. Such department could rightfully expect, after the passage of said amendment and its enforcing provisions, that the States would fulfill their proportionate responsibility, and that Federal intervention constituted only an additional assistance to the States to make more effective their heretofore ineffectual attempts to prevent the making and distribution of intoxicating liquor, for adjoining wet States could materially affect a dry State to such an extent that absolute prohibition was impossible. A national prohibition law to unify the States so that intoxicating liquor might not find refuge and protection within the confines of our national domain was enacted.

The vendor of liquor can no longer find shelter under the folds of Old Glory.

Handcapped by inadequate facilities and in some localities by unsympathetic feeling toward it on the part of the people and the officers it has not during the period of its existence attained the perfection that some of its most ardent supporters predicted, which fact has occasioned a boisterous criticism by those favoring repeal of the eighteenth amendment and its enforcing provisions. They point to its ineffectiveness in States which have withdrawn their enforcing provisions and thrown entirely upon the Federal Government the responsibility of making prohibition effective.

Any subdivision of the Government, whether local or State, that refuses to assume its proportionate responsibility in sustaining any and all of the provisions of our National Constitution, is thereby dictating to the National Government what laws it will uphold and what it will disobey, thereby making less secure the very purpose and object of the union of States. If one State has the right to so elect, then another has the same right, and in the end we would have a confusion of beliefs, that would seriously threaten the stability of our national existence.

If the State has the right to exercise such a privilege, then why not the individual have the same right? If the State and the individuals are each to be privileged to exercise such a discretion then we will be in a state of anarchy where government does not control, but is subservient to the individual discretion.

"America can not go on a debauch in spots without injury to the whole Nation," said S. E. Nicholson before the Judiciary Committee in the recent hearings upon certain resolutions proposing to repeal the eighteenth amendment.

Disobedience to a constitutional command is nullification, and such attitude is not justified by the claimed superior judgment of a minority in determining that legislative restrictions imposed by a majority is a denial of individual rights, which the Government through its provided channels can not take away. If the majority feel that such authority should be exercised by the Federal Government for the proper protection of society,

Government, and the individual, and such feeling is embodied in the fundamental law of the land, then the wisdom of the majority has found expression therein.

Hon. J. Weston Allen said before the Judiciary Committee:

Every nation has the right to maintain the efficient status of its man power, that upon which the nation and its life exists, up to the highest standard.

To protect our defenders from the physical deterioration resulting from the use of alcoholic liquors, we designate as unlawful that which is destructive of maintaining the physical fitness of our manhood to meet their country's obligations should a crisis ensue requiring their cooperation.

That the general distribution of liquor through saloons is a menace to society and government is acknowledged, for there was an unanimity of opinion by those advocating repeal before the Judiciary Committee that the saloon should not be reestablished. The advocates of repeal were not in accord as to the remedy for the claimed unsatisfactory conditions prevailing now. The plan most generally advocated was that the Government should dispense the same under strict regulations. The fact that it is conceded that liquor should not be sold without being under very strict regulations is a concession of its dangerous character.

Mrs. Henry M. Kendrick, in testifying before the committee, said:

The thing needed more than the repeal of any law is an awakening of conscience applying equally to the lawmaker, the law enforcer, and the law observer. We can never be a really great Nation with a vitiated conscience; and with the revival of conscience will come a lessening of the problems confronting us to-day.

Various plans of regulation governing the distribution of liquor in the different States met with dismal failure. The people of the United States turned to the only alternative, that of prohibition. Since its adoption it has contributed to the social, economic, and civic life of the Nation in a very appreciable degree.

The saloon, the rendezvous for the social outcasts, the criminals, and the incubators of the vile and corrupt intrigues of the enemies of good government and law and order, have been eliminated.

Samuel Crowther, one of the foremost economists in the United States, testified before the Judiciary Committee as to the financial benefits obtained by prohibition since its enactment. He said:

At the lowest estimate the country was paying nearly 4 per cent of the national income for drink in 1914 to 1916, and may have been paying as much as 8 per cent. At the very highest estimate, \$1,000,000,000, the country is now paying 1 and a fraction per cent of its income for drink and may be paying less than one-half of 1 per cent. This means a net diversion of spending due to prohibition amounting to somewhere between two and six billions of dollars.

In the days before prohibition many homes were examples of the dreadful toll exacted by liquor, for that which should have supplied the comforts and necessities of the home was spent in the debauchery of a faithless husband, and innocent children, poorly clad and undernourished, were its unfortunate victims. These scenes have been transformed quite generally into contented homes, well-fed children, and saving accounts are rapidly growing.

The statistics for deaths by alcoholism from and including 1911 to and including 1917 shows an average death rate per 100,000 people of 5.2. For 1918, to and including 1928, an average of 2.8. A calculation upon the basis of 100,000,000 people, there has been a saving each year in the United States on account of prohibition of 2,400 lives, or a total during the 11 years of 26,400. The use of intoxicating liquor by those affected by cirrhosis of the liver and Bright's disease makes their ailment more fatal, and prohibition has saved approximately 166,500 lives from those affected with such a dreadful malady.

The tabulated mortality experience of 77 leading life-insurance companies in the United States shows that from 1914 to 1919, inclusive, before prohibition, the death rate was from 61 to 63 per cent, except during the "flu" year, when it ran up to 95 per cent. The averages after prohibition, from 1921 to 1927, inclusive, were 50, 51, 52, and 53 per cent.

A summary of the experiences of Canada with its various plans for the regulation of liquor, including government dispensation, is vividly set forth in a statement sent to the Judiciary Committee by Sir George Foster, former Finance Minister of the Dominion. He said:

You may take it, however, as my considerate opinion, based upon a long experience and wide observation, that the present government sale system in force in the Canadian Provinces is only a temporary

phase in the long series of experiments dealing with acknowledged evils of the liquor traffic in Canada and is by no means a finality.

It has not cured the abuses alleged to have existed under preceding prohibitory systems. It has increased rather than diminished the sale and consumption of alcoholic liquors. It has made easy and respectable to all classes the initiatory facilities for the formation of the drinking habit and has established an active partnership and participation in large and increasing profits between governments, and the traffic under which the latter is rapidly digging itself into a position which it shrewdly hopes to make permanent and unexpungeable. It is my firm conviction that only under complete prohibition can the liquor traffic be successfully combated and that Canada will, in due course, establish that system.

If our prohibition law is repealed, and a Government dispensation system is established, how will it be handled? Who will make it? Who will sell it? Shall our Government be the agency through which it is made? Will it sell to automobile drivers, to engineers on our railroads, to those who are handling dangerous machinery, to the aviators, to those who are dependent on their daily toil in the great industrial centers of the country? It is estimated that there are 40,000,000 drivers of automobiles. There are over 50,000,000 boys and girls in the United States. Shall liquor be easier for the boys and girls to secure? What person is anxious to ride on a train with a drunken engineer, in an automobile with a whisky-influenced driver, or to work with dangerous machinery, with a drinking stationary engineer?

The patriotic American does not retreat when facing great responsibilities, and will not compromise with crime and the enemies of law and order, but will sustain and uphold the eighteenth amendment, the greatest contribution to the moral uplift of the Nation during its existence.

BRIDGE ACROSS THE MISSISSIPPI RIVER

The next business on the Consent Calendar was the bill (S. 3873) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Carondelet, Mo.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River at or near Carondelet, Mo., authorized to be built by the Dupon Bridge Co., a Missouri corporation, its successors and assigns, by an act of Congress approved May 14, 1928, heretofore extended by an act of Congress approved February 26, 1929, are hereby further extended one and three years, respectively, from May 14, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

PAYMENTS FOR THE OPERATION OF MOTOR CYCLES AND AUTOMOBILES

The next business on the Consent Calendar was the bill (H. R. 12014) to permit payments for the operation of motor cycles and automobiles used for necessary travel on official business, on a mileage basis in lieu of actual operating expenses.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to ask the gentleman who reported this bill why he places this burden upon the President rather than upon the executive heads.

Mr. WILLIAMSON. The reason for that is that, under the present practice, the Appropriations Committee has been in the habit of putting legislative provisions similar to this bill in the annual appropriation bills. Such provisions are not uniform and, of course, not permanent law. Under this practice, in most instances, the department head effected has been allowed to make his own regulations, with the result that one department will prescribe certain regulations and another department will impose different regulations. This has resulted in confusion and much additional work for the comptroller in getting the accounts adjusted.

Now, by making the President responsible for the rules and regulations, the rules and regulations will be uniform throughout the different departments of the Government.

Mr. STAFFORD. If the gentleman will permit, are the conditions existing in the various services in the respective

departments variable so that different regulations should be prescribed according to the service of the department?

Mr. WILLIAMSON. In most cases, I think, it would be wholly unnecessary to prescribe different regulations, but if they are necessary, they will, of course, be made. In some cases now the President must approve the regulations before they go into effect, but the department heads do not follow any uniform practice as to the regulations. It would be better practice to require all employees to operate under like or similar regulations and requirements and to make uniform reports.

Mr. LaGUARDIA. What is troubling me is this: Should there not be a provision that this is applicable where the Government would pay the transportation otherwise? Does this in any way extend or broaden the present provisions with respect to the payment of transportation?

Mr. WILLIAMSON. No; it does not extend or broaden them in any way at all. It simply makes the practice uniform throughout all the departments, so that the same regulations will apply to all of them.

Mr. GREENWOOD. I would like to inquire whether, in addition to providing for uniformity, it is also anticipated that this will save the Government any money?

Mr. WILLIAMSON. Employees can only use their own vehicles under the law now where it does save money.

Mr. GREENWOOD. I mean, will this system save the Government money in comparison with the present system?

Mr. WILLIAMSON. I think there is no doubt about that. The reports submitted by the departments at my request indicate that it is cheaper to allow employees to use their own machines than it is for them to hire commercial vehicles.

Mr. CRAMTON. Mr. Speaker, if the gentleman will yield, as I understand by placing this matter in the hands of the President it will probably be carried out by the Budget Office, who have contact with this very problem always in connection with the estimates, and that machinery will relieve the President of any burden.

Mr. WILLIAMSON. I do not think there is any doubt about that. In actual practice the Budget will undoubtedly prepare the necessary regulations in conjunction with department heads for submission to the President.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever the executive head of any department, independent bureau, office, or other executive establishment shall find that the expenses of travel, including travel at official stations, can be reduced thereby, he may authorize, under such regulations as he may prescribe and the President approves, in lieu of actual operating expenses, the payment of not to exceed 3 cents per mile for motor cycles or 7 cents per mile for automobiles used for necessary travel on official business.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That a civilian officer or employee engaged in necessary travel on official business away from his designated post of duty may be paid, in lieu of actual expenses of transportation, under regulations to be prescribed by the President, not to exceed 3 cents per mile for the use of his own motor cycle or 7 cents per mile for the use of his own automobile for such transportation, whenever such mode of travel has been previously authorized and payment on such mileage basis is more economical and advantageous to the United States. This act shall take effect July, 1930, and all laws or parts of laws are hereby modified or repealed to the extent same may be in conflict herewith."

Mr. STAFFORD. Mr. Speaker, I offer an amendment to the committee amendment, inserting the figure "1" after July, so that it will read "July 1, 1930."

Mr. WILLIAMSON. Mr. Speaker, I think the language, "this act shall take effect July 1, 1930, and" should be stricken out because it is apparent that this bill is not likely to pass the Senate before that time.

Mr. STAFFORD. My amendment has not been reported and I will withdraw the amendment.

The SPEAKER pro tempore. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMSON: On page 2, in line 12, amend the committee amendment by striking out "this act shall take effect July, 1930, and," and capitalize the word "all."

Mr. STAFFORD. Mr. Speaker, does not the gentleman believe there should be some definite time stated when this proposed law shall go into effect? It should not go into effect on

the date of enactment, because that might result in confusion; but perhaps we should provide that it shall go into effect so many days after its enactment.

Mr. WILLIAMSON. It would be better, of course, if it went into effect at the beginning of a fiscal year, but that would throw it ahead to 1931.

Mr. STAFFORD. Why not make some provision with respect to a certain stated time after the enactment of the law?

Mr. WILLIAMSON. If we fix a stated time, I think it would be best to fix it July 1, 1931; and, Mr. Speaker, I ask unanimous consent to withdraw the amendment just offered. If permitted, I would offer in lieu thereof an amendment striking out "July, 1930," and inserting "July 1, 1931."

The SPEAKER pro tempore. The gentleman from North Dakota offers an amendment to the committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. WILLIAMSON: Page 2, line 12, strike out "July, 1930," and insert in lieu thereof "July 1, 1931."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

OFFENSES AGAINST THE CURRENCY OF FOREIGN COUNTRIES

The next business on the Consent Calendar was the bill (H. R. 12397) to amend certain sections of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, as amended, so as to modify the penalties for offenses against the currency of foreign countries to conform to the penalties provided for offenses against the currency of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 156 of the Criminal Code (U. S. C., title 18, sec. 270) is amended by striking out "five years" and inserting in lieu thereof "fifteen years."

SEC. 2. Section 157 of the Criminal Code (U. S. C., title 18, sec. 271) is amended by striking out "three years" and inserting in lieu thereof "fifteen years," and by striking out "\$3,000" and inserting in lieu thereof "\$5,000."

SEC. 3. Section 158 of the Criminal Code (U. S. C., title 18, sec. 272) is amended by striking out "two years" and inserting in lieu thereof "fifteen years," and by striking out "\$2,000" and inserting in lieu thereof "\$1,000."

SEC. 4. Section 159 of the Criminal Code (U. S. C., title 18, sec. 273) is amended by striking out "one year" and inserting in lieu thereof "fifteen years."

SEC. 5. Section 160 of the Criminal Code (U. S. C., title 18, sec. 274) is amended by striking out "one year" and inserting in lieu thereof "fifteen years," and by striking out "\$1,000" and inserting in lieu thereof "\$5,000."

SEC. 6. Section 161 of the Criminal Code (U. S. C., title 18, sec. 275) is amended by striking out "five years" and inserting in lieu thereof "fifteen years."

SEC. 7. Section 170 of the Criminal Code (U. S. C., title 18, sec. 284) is amended by striking out "shall be fined not more than \$2,000, or imprisoned not more than five years, or both," and inserting in lieu thereof "shall be fined not more than \$5,000 and imprisoned not more than ten years."

SEC. 8. As used in this act, the term "Criminal Code" means the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, as amended.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That sections 156, 157, 158, 159, 160, 161, and 170 of the Criminal Code, as amended (U. S. C., title 18, secs. 270, 271, 272, 273, 274, 275, and 284), respectively, be, and the same are hereby, amended to read as follows:

"SEC. 156 (U. S. C., title 18, sec. 270). Whoever, within the United States or any place subject to the jurisdiction thereof, with intent to defraud, shall falsely make, alter, forge, or counterfeit any bond, certificate, obligation, or other security in imitation of, or purporting to be an imitation of, any bond, certificate, obligation, or other security of any foreign government, issued or put forth under the authority of such foreign government, or any treasury note, bill, or promise to pay issued by such foreign government, and intended to circulate as money, either by law, order, or decree of such foreign government; or whoever shall cause or procure to be so falsely made, altered, forged, or counterfeited, or shall knowingly aid or assist in making, altering, forging, or counterfeiting, any such bond, certificate, obligation, or other security, or any such treasury note, bill, or promise to pay, intended as aforesaid to

circulate as money, shall be fined not more than \$5,000 and imprisoned not more than 15 years.

"SEC. 157 (U. S. C., title 18, sec. 271). Whoever, within the United States or any place subject to the jurisdiction thereof, knowingly and with intent to defraud, shall utter, pass, or put off, in payment or negotiation, any false, forged, or counterfeited bond, certificate, obligation, security, Treasury note, bill, or promise to pay, mentioned in section 270 of this title, whether the same was made, altered, forged, or counterfeited within the United States or not, shall be fined not more than \$5,000 and imprisoned not more than 15 years.

"SEC. 158 (U. S. C., title 18, sec. 272). Whoever, within the United States or any place subject to the jurisdiction thereof, with intent to defraud, shall falsely make, alter, forge, or counterfeit, or cause or procure to be so falsely made, altered, forged, or counterfeited, or shall knowingly aid and assist in the false making, altering, forging, or counterfeiting of any bank note or bill issued by a bank or corporation of any foreign country, and intended by the law or usage of such foreign country to circulate as money, such bank or corporation being authorized by the laws of such country, shall be fined not more than \$1,000 and imprisoned not more than 15 years.

"SEC. 159 (U. S. C., title 18, sec. 273). Whoever, within the United States or any place subject to the jurisdiction thereof, shall utter, pass, put off, or tender in payment, with intent to defraud, any such false, forged, altered, or counterfeited bank note or bill, mentioned in section 272 of this title, knowing the same to be so false, forged, altered, and counterfeited, whether the same was made, forged, altered, or counterfeited within the United States or not, shall be fined not more than \$1,000 and imprisoned not more than 15 years.

"SEC. 160 (U. S. C., title 18, sec. 274). Whoever, within the United States or any place subject to the jurisdiction thereof, shall have in his possession any false, forged, or counterfeit bond, certificate, obligation, security, Treasury note, bill, promise to pay, bank note, or bill issued by a bank or corporation of any foreign country, with intent to utter, pass, or put off the same, or to deliver the same to any other person with intent that the same may thereafter be uttered, passed, or put off as true, or shall knowingly deliver the same to any other person with such intent, shall be fined not more than \$5,000 and imprisoned not more than 15 years.

"SEC. 161 (U. S. C., title 18, sec. 275). Whoever, within the United States or any place subject to the jurisdiction thereof, except by lawful authority, shall have control, custody, or possession of any plate, stone, or other thing, or any part thereof, from which has been printed or may be printed any counterfeit note, bond, obligation, or other security, in whole or in part, of any foreign government, bank, or corporation, or shall use such plate, stone, or other thing, or knowingly permit or suffer the same to be used in counterfeiting such foreign obligations, or any part thereof; or whoever shall make or engrave, or cause or procure to be made or engraved, or shall assist in making or engraving, any plate, stone, or other thing in the likeness or similitude of any plate, stone, or other thing designated for the printing of the genuine issues of the obligations of any foreign government, bank, or corporation; or whoever shall print, photograph, or in any other manner make, execute, or sell, or cause to be printed, photographed, made, executed, or sold, or shall aid in printing, photographing, making, executing, or selling, any engraving, photograph, print, or impression in the likeness of any genuine note, bond, obligation, or other security, or any part thereof, of any foreign government, bank, or corporation; or whoever shall bring into the United States or any place subject to the jurisdiction thereof any counterfeit plate, stone, or other thing, or engraving, photograph, print, or other impressions of the notes, bonds, obligations, or other securities of any foreign government, bank, or corporation, shall be fined not more than \$5,000, or imprisoned not more than 15 years, or both.

"SEC. 170 (U. S. C., title 18, sec. 284). Whoever, within the United States or any place subject to the jurisdiction thereof, without lawful authority, shall make, or cause or procure to be made, or shall willingly aid or assist in making, any die, hub, or mold, or any part thereof, either of steel or of plaster, or of any other substance whatsoever, in the likeness or similitude, as to the design or the inscription thereon, of any die, hub, or mold designated for the coining of the genuine coin of any foreign government; or whoever, without lawful authority, shall have in his possession any such die, hub, or mold, or any part thereof, or shall conceal, or knowingly suffer the same to be used for the counterfeiting of any foreign coin, shall be fined not more than \$5,000 and imprisoned not more than 10 years.

"SEC. 2. As used in this act, the term 'Criminal Code' means the act entitled 'An act to codify, revise, and amend the penal laws of the United States,' approved March 4, 1909, as amended."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to amend sections 156, 157, 158, 159, 160, 161, and 170 of the Criminal Code, as amended."

AMENDING THE ACT FOR THE SURVEY OF PUBLIC LANDS WITHIN THE LIMITS OF LAND GRANTS

Mr. ENGLEBRIGHT. Mr. Speaker, I ask unanimous consent to return to Calendar No. 649 (H. R. 7254), to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. STAFFORD. Subject to objection for consideration.

There was no objection.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Reserving the right to object, after a cursory reading of the bill it seems to me that we are here giving back to the railroads something that they are not entitled to. In other words, it strikes me that the railroads making these surveys make them as much for themselves as for anyone else, and we ought not to be solicitous of making the refund.

Mr. ENGLEBRIGHT. The gentleman will recognize that there are two laws—one provides for land certificates and one does not. In case of the lands surveyed that were not within certain qualifications, the money has been deposited with the Treasurer and can only be used for the purpose of surveying certain lands. For various reasons some lands could not be surveyed, and the money is left in the Treasury. The Government can not use it and, of course, they can not return it. The money was deposited for a certain purpose.

Mr. JENKINS. And the money belongs to the railroad company?

Mr. ENGLEBRIGHT. Yes; it was put there for the survey of certain lands that can not be granted to the railroads.

Mr. JENKINS. Was not the money deposited in a lump sum for the survey of a vast territory, and that did not contain as much land as they thought and now they seek for a refund of what is left.

Mr. COLTON. No; the deposit was made for surveys of specific tracts and afterwards it was found that the land, for one cause or another does not come within the provisions of the grant. It might be discovered for instance that they were mineral lands, and if they have made a survey of mineral lands they are not entitled to them and the Government can not pass title to such lands to the railroad. In such cases, having put up the money and done the work they are entitled to receive the money back.

Mr. JENKINS. How much money is involved in this bill?

Mr. COLTON. I do not think that was disclosed before the committee.

Mr. JENKINS. Is it a large sum?

Mr. COLTON. No; I think it is only a few thousand dollars at the outside, perhaps not a hundred thousand. However, that is merely a guess; I do not know.

Mr. COLLINS. Will the gentleman yield? My thought about the bill is this, that the surveys were made exclusively for the benefit of the railroad companies, and the expense ought to be borne by the railroads.

Mr. COLTON. That would be true if they could receive the land.

Mr. COLLINS. But they received a part of the lands sought by them.

Mr. COLTON. No; unless they receive the lands.

Mr. COLLINS. The surveys were made for the benefit of the railroad companies because they believed they would get the lands and get them without cost, and therefore the railroads ought not to be whining now.

Mr. COLTON. That would be true if they could get the lands, but failing in that through no fault of theirs they are entitled to their money back.

Mr. COLLINS. They got their lands.

Mr. COLTON. They did not get these lands.

Mr. COLLINS. They got some of them.

Mr. COLTON. They did not get the lands for which this money was deposited to cover the expense of survey.

Mr. COLLINS. But they secured some of them.

Mr. GREENWOOD. At whose request were the surveys made? For the benefit of the railroad, was it not?

Mr. COLTON. The railroad, yes; but the Government might take the initiative.

Mr. GREENWOOD. If the railroad companies asked for these surveys in order to determine whether there was land there they could receive, and if expense was incurred in order to make that discovery and it was determined against them in the end, then they ought to bear the expense.

Mr. COLLINS. The situation is just the same as if railroads had filed a suit for land, and had lost the suit and then asked the court to require the United States to pay the costs.

Mr. JENKINS. How did they determine how much should be put up?

Mr. COLTON. It was, of course, an estimate.

Mr. JENKINS. The railroad companies and the Government were in contractual relations. Both parties assumed that there should be so much land, and the railroad company put up so much money, assuming there was that much land. It turned out that there was not much land, but they got some land. Is not that a fulfillment of the contract on the part of the parties?

Mr. COLTON. But that is not the fact. These grants are made by statutes. The law designates in a general way the land. The land can not be used, however, by the grantee, the railroad, until the lands are surveyed. The grantee puts up the money, that is, the railroad puts it up and surveys the land, and after the survey it is discovered that they are mineral lands, for instance, and the railroad is not entitled to take that class of lands at all. The result is, therefore, that they have been required to survey certain definite lands which they could not take, not because of their own fault, but because of the fault of the law, which would not permit the passing of mineral lands. Therefore, they have put up their money and have done the work for nothing.

Mr. COLLINS. It is just a case of the railroads betting their luck against the Government's money.

Mr. O'CONNOR of Louisiana. Will some one permit me to inquire why the alert and diligent gentleman in charge of that desk would return to a matter so controversial as this when there are so many other bills on the calendar?

Mr. LAGUARDIA. The gentleman from Louisiana can easily stop it.

Is not section 2 of the bill rather unusual under our financial arrangement? It is provided there that money shall be paid out of the Treasury on the simple certificate of the Secretary of the Interior.

Mr. COLTON. The first act passed, which authorized this deposit for a survey, expressly provided for that but the second act did not.

Mr. LAGUARDIA. The gentleman will concede that that is bad legislation.

Mr. COLTON. In numerous other cases we provide for the repayment of funds that can not be properly applied by the Government.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Mr. Speaker, I withdraw my reservation of objection.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

AUTHORIZING COMMISSIONERS OF INTERNATIONAL TRIBUNALS TO ADMINISTER OATHS, ETC.

The next business on the Consent Calendar was the bill (S. 2828) authorizing commissioners or members of international tribunals to administer oaths, to subpoena witnesses and records, and to punish for contempt.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Mr. Speaker, I reserve the right to object in order to ask the gentleman in charge of the bill whether this is not a clear departure and innovation?

Mr. HICKEY. No; this is for the purpose of taking testimony before a foreign commission in cases like the case of Blackmer, who left the country and went to France. There is a tax case pending in the District here, where a law passed by Congress in 1926 was sustained that authorized imposing a fine upon him notwithstanding the fact that the man is in a foreign country, because he refused to appear and testify and submit to a summons from one of the consular officers.

Mr. JENKINS. What I object to primarily is this: The language of this bill provides, or would admit of the interpretation that any tribunal or commission engaged in an international conference would have the right any place to invoke contempt proceedings.

Mr. HICKEY. Oh, no.

Mr. JENKINS. The language admits of that interpretation, and it strikes me that that would be a great departure.

Mr. LAGUARDIA. Of course, it has to be a tribunal in which the United States is a party, and also a question in which a citizen of the United States has an interest.

Mr. JENKINS. The language is:

And every person knowingly and willfully swearing or affirming falsely in any such proceeding, whether held within or without the United States, its Territories or possessions.

Anywhere in the world, and any party in any kind of an international controversy, could invoke contempt proceedings. This would give any such commission in session anywhere in the world authority to demand testimony and to punish as for contempt anyone who might refuse to testify, regardless of how far they were invading the rights of the party. And, again, suppose this contempt proceeding were commenced in a foreign country, what officers would be employed to make the arrest for contempt and carry out the punishment? It is going too far.

Mr. O'CONNOR of New York. Mr. Speaker, I think I can shorten this discussion very much, because I am going to object to the bill anyway.

Mr. STAFFORD. Does the objection of the gentleman go to the extraterritorial powers that would be vested in these clerks in administering oaths?

Mr. O'CONNOR of New York. No; my objection goes to the contempt proceedings. One of the most vicious things in the world is the power to punish for contempt. I object.

The SPEAKER pro tempore. Objection has been heard and the Clerk will call the next bill.

Mr. STAFFORD. I ask unanimous consent that the proceedings be vacated for two minutes.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the proceedings by which the bill was objected to be vacated. Is there objection?

Mr. LAGUARDIA. I object.

BRIDGE ACROSS THE TENNESSEE RIVER, TENN.

The next business on the Consent Calendar was the bill (H. R. 12554) to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Knoxville, Tenn.

The title of the bill was read.

There being no objection to its consideration, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Tennessee River at or near Henley Street, in Knoxville, Knox County, Tenn., authorized to be built by the city of Knoxville, Tenn., by an act of Congress approved February 13, 1929, are hereby extended one and three years, respectively, from February 13, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GRADE CROSSINGS, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 4223) to amend the act entitled "An act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes," approved March 3, 1927.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SIMMONS. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. ZIHLMAN. Mr. Speaker, will the gentleman withhold his objection?

Mr. SIMMONS. Yes; and reserve the right to object.

Mr. ZIHLMAN. Mr. Speaker, I wish to say in regard to this legislation, so that the record will show, that three years ago the Committee on the District of Columbia of the House and Senate, considering the danger of grade crossings in the District of Columbia, and appalled by the casualties which had occurred just prior to that time, passed authoritative legislation for the elimination of those crossings. Some of the most dangerous of the grade crossings have been eliminated, and at this crossing in question, four lives were lost in the last 18 months.

This bill, changing the original authorization from a viaduct bridge to an underpass, has been recommended by the engineering department of the District of Columbia, and the appropriation for the actual work has been approved by the Director of the Budget, and has been inserted in the District appropriation bill which is now pending in a deadlocked conference. So far as I know, every Member of the House and of the Senate who is interested in District legislation, as well as the municipal authorities, and the Director of the Budget are in favor of this improvement and the elimination of this dangerous crossing, with the possible exception of the gentleman from Nebraska [Mr. SIMMONS].

I contend that when a matter has been considered for three years and has been recommended by the recognized administrative authorities of the District, has been recommended by the Director of the Budget, and in accordance with that recom-

mendation has been inserted in the bill by the Senate that such legislation should pass. I am unable to understand the persistent opposition of the distinguished chairman of the subcommittee of the Committee on Appropriations on the District of Columbia to legislation of this kind.

Mr. SIMMONS. Mr. Speaker, further reserving the right to object, I want to make this statement: The highway department has stated that this grade crossing is third in importance in construction work of grade crossings at this time. The gentleman says the Budget recommended this bill. That is an error. The Budget recommended a different type of crossing at this point, and this is an attempt to change that plan.

The whole set-up of this present scheme is to tax the District of Columbia the entire cost of the project when it is in the interest of the people of Maryland instead of the people of the District of Columbia.

You had a plan here once before to put a part of this over into Maryland. It was changed so that Maryland did not have to pay a cent on it, and it is not for the benefit of the people of the District of Columbia, but for the benefit of the people of Maryland. It will be three years before they want to build this viaduct, and there is no need to authorize it now.

I have another objection.

Mr. ZIHLMAN. I would like to know what the real objection of the gentleman is.

Mr. SIMMONS. Immediately after these authorization bills go through the District Committee takes the position that Congress is absolutely bound to make the appropriation at once no matter what the facts are. I am going to object to such authorizations until there is an opportunity to carry them out.

Mr. ZIHLMAN. This was to change it from a viaduct to a subway, on the recommendation of the District authorities instead of the people of Maryland, who are willing to spend \$150,000 for connecting roads leading up to this viaduct.

Mr. SIMMONS. Not one dollar of this project will be paid for by the people of Maryland.

Mr. ZIHLMAN. The gentleman knows that in that immediate vicinity Maryland has built two subways on Maryland soil, to which the District does not contribute a cent, and yet it is used by hundreds of thousands of people in the District of Columbia. The gentleman wants to set up an imaginary line when he sets up this line. He manifests a hallucination that it is going to confer some benefit on the people of Maryland.

I will say further that the gentleman, in taking this item, recommended by the District Commissioners and by the Director of the Budget, out of the District bill, advised me that he took it out to widen H street from Thirteenth Street to Seventh Street, and when I called the gentleman's attention to the fact that he was creating a bottle neck for traffic by not continuing that widening to Massachusetts Avenue, the gentleman said that this could be done later. So the situation is that here is a grade crossing on which four people have lost their lives during the last 18 months, and the gentleman takes it out of the bill for the benefit of the widening of H Street and casually says he thinks it is more important and necessary than this.

Mr. SIMMONS. What I said to the gentleman—and I will say it again—is that, in my judgment, the people of the District of Columbia are entitled to have their tax money spent for their own benefit, and that it was better for the people of the District of Columbia to spend this \$200,000 in widening streets in the business section of Washington than it was to build a viaduct that is not needed on the border of the District. There is a subway in the District within 200 yards of this point, and still the gentleman wants this one. There is an overhead bridge within a half mile of it in Maryland. It is a little residential community in Maryland which is interested and nobody else.

Mr. ZIHLMAN. I will say to the gentleman that I hope every Member of the House will read the gentleman's remarks in the RECORD, that legislation passed by a legislative committee of the House is in no way binding up the members of the Committee on Appropriations.

Mr. SIMMONS. If the gentleman had wanted to raise that issue, he had an opportunity when the appropriation bill was before the House.

Mr. STAFFORD. Regular order, Mr. Speaker.

Mr. SIMMONS. I object.

ADDITIONAL DISTRICT JUDGE FOR EASTERN AND WESTERN DISTRICTS OF ARKANSAS

The next business on the Consent Calendar was the bill (H. R. 9590) to provide for the appointment of one additional district judge for the eastern and western districts of Arkansas.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Reserving the right to object, I find a very meager committee report, and I ask that some

Member from Arkansas or some member of the Committee on the Judiciary advise the House whether the Attorney General has recommended the creation of this new judgeship?

Mr. McKEOWN. I will state to the gentleman that we investigated that matter very thoroughly and the gentleman from West Virginia [Mr. BACHMANN] can answer as to the condition down there. We found it was necessary on account of the fact that one of the judges at this time is not at all able to carry on his work.

Mr. SCHAFER of Wisconsin. How long has he been disabled?

Mr. PARKS. Will the gentleman permit me?

Mr. SCHAFER of Wisconsin. I yield to the gentleman.

Mr. PARKS. The judge who is now ill, I think, is one of the most efficient and able judges of the South. His illness is due to the fact that he has worked almost every single day on the bench and in his office at night on account of the enormous amount of business in his district. The oil fields of Arkansas are within his district. There is an enormous amount of civil and criminal business, because of the fact that all of the oil cases are carried into the Federal court. The State has almost 2,000,000 people and only has two judges. It is utterly impossible for those two judges, working every day, to discharge their duties and carry on the business of those courts.

Mr. SCHAFER of Wisconsin. The gentleman has given the House information with reference to the extraordinary number of oil cases which are clogging the court calendars in Arkansas. Does the gentleman also find that part of the clogging is due to an increase in prohibition cases?

Mr. PARKS. That is true; and I will say that this does not create a new district, but provides for a new judge, whose jurisdiction will be coextensive within the State, and I assume the present two judges will turn over the liquor cases to the new judge, and they can handle all the other cases.

Mr. SCHAFER of Wisconsin. This bill is another example of the added cost to the taxpayers of the country by reason of the sumptuary Federal prohibition laws. However, I shall not interpose an objection to its consideration.

Mr. PARKS. I thank the gentleman.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President is hereby authorized to appoint, by and with the advice and consent of the Senate, one additional district judge for the United States District Court for the Eastern and Western Districts of Arkansas, who shall, at the time of his appointment be a resident and a citizen of the State of Arkansas.

With the following committee amendment:

Page 1, line 5, after the word "judge," strike out the words "for the United States District Court."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS RAINY RIVER AT BAUDETTE, MINN.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 12233) authorizing the Robertson & Janin Co., of Montreal, Canada, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at Baudette, Minn.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

Mr. STAFFORD. There is no objection to returning, subject to a reservation of objection to consideration.

There was no objection.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GREENWOOD. Reserving the right to object, Mr. Speaker, if I am assured that my colleague has withdrawn his objection, then I will allow the bill to pass; but if it is taken up in his absence, without his consent, I shall have to object.

Mr. KNUTSON. My purpose in taking it up is that I expect to leave the Chamber in a few minutes. Otherwise I would be glad to wait for the gentleman from Alabama [Mr. PATTERSON] to return. I told the gentleman what I had in mind, and he suggested that I take the matter up with the gentleman from New York [Mr. LaGUARDIA] and iron out whatever differences there were. I have taken the matter up with the gentleman from New York [Mr. LaGUARDIA].

Mr. GREENWOOD. Did the gentleman from New York [Mr. LaGUARDIA] interpose an objection at the time?

Mr. LaGUARDIA. I have stated personally I think it is a bad bill.

Mr. GREENWOOD. Is the gentleman willing to allow it to pass the objection stage and allow it to be taken up out of order?

Mr. LA GUARDIA. At the end of a session like this, I do not like to be the only one to object.

Mr. KNUTSON. There is not a bridge for 75 miles up and down the river.

Mr. GREENWOOD. I understand; but the gentleman is attempting to take it up out of order, and my colleague has objected to it.

Mr. KNUTSON. There is not a bridge for 75 miles up and down the river.

Mr. GREENWOOD. That does not make any difference. If the gentleman objected he has the right to have that objection honored and not to have it taken up out of order unless he withdraws his objection.

Mr. KNUTSON. Mr. Speaker, I will withdraw the request for the time being.

ADDITIONAL COPIES OF HEARINGS BEFORE THE JUDICIARY COMMITTEE ON RESOLUTIONS PROPOSING TO AMEND THE CONSTITUTION OF THE UNITED STATES

The next business on the Consent Calendar was House Concurrent Resolution 31, to print 10,000 additional copies of the hearings held before the House Committee on the Judiciary on joint resolutions proposing to amend the Constitution of the United States relating to the manufacture and sale of intoxicating liquors within the United States.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That, in accordance with paragraph 3 of section 2 of the printing act approved March 1, 1907, the Committee on the Judiciary of the House of Representatives be, and is hereby, empowered to procure the printing of 10,000 additional copies of the hearings held before said committee during the Seventy-first Congress, second session, on joint resolutions proposing to amend the eighteenth article of the Constitution of the United States relating to the manufacture and sale of intoxicating liquors within the United States, and of this number the committee shall cause to be delivered to the folding rooms of Congress not to exceed 8,200 copies, of which 1,500 copies shall be for the use of the Senate and not more than 6,700 copies shall be for the use of the House of Representatives.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. I wish to inquire of some member of the Committee on Printing as to the expense that will be occasioned by the printing of this large number of copies of the hearings on prohibition before the House Judiciary Committee.

Mr. LA GUARDIA. Seven thousand dollars according to the report.

Mr. STAFFORD. What is the estimated cost of the printing of the hearings that were held before the Committee on the Judiciary on the modification of the prohibition law?

Mr. BEERS. About \$160,000.

Mr. STAFFORD. Mr. Speaker, the gentleman informs the House in a rather low tone, which is his natural tone, that 10,000 copies will cost \$160,000. I think I made a mistake in not being on my feet to reserve the right to object to the consideration of this resolution and for more than one reason, not only because of the estimated cost, \$160,000, but I question very much whether very many of the 15 copies assigned to the Members of the House will be utilized. Like many such voluminous documents they will smolder, smolder, and smolder in the catacombs of the Capitol without ever being called for by the Members of the House.

Mr. LA GUARDIA. There must be some mistake. The report shows the cost to be \$7,311.18.

Mr. KIESS. That is correct.

Mr. BEERS. I had some other matter in mind.

Mr. STAFFORD. I will acquit the chairman of the Committee on Printing, who is burdened in the closing days of the session with so many requests for publications, diseases of cattle, diseases of the horse, and all kinds of proceedings, for the printing of proceedings of the G. A. R. and other veterans' associations. But even if it only cost \$7,000, does the gentleman think that all the Members will utilize the copies assigned to them? I know that the alert Members who have been on the firing line from the beginning of the session, working not only days but nights in an effort to keep the liquid fumes burning, will utilize their 15 volumes; but will that be general of the membership of the House? Does the gentleman think that the dry Members will have occasion to distribute the 15 volumes that are accorded to them?

Mr. BEERS. There has been a great demand for the books.

Mr. BACHMANN. I can say to the gentleman from Wisconsin that there is a great demand for copies of these hearings. Being a member of the Judiciary Committee I have had a number of requests myself, but I do not know whether that is true of other Members of the House or not.

Mr. STAFFORD. I can understand that there might be a demand for copies of the hearings from those Representatives who come from dry districts. Up to the present time I have not received one request, but perhaps in my district, where there is a great deal of fluidity, I may have occasion to distribute the 15 at my disposal.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

The resolution was concurred in.

CONTROL OF THE DESTRUCTIVE FLOOD WATERS OF THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 12129) for the control of the destructive flood waters of the United States, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, is anyone here from the Flood Control Committee?

Mr. SHORT of Missouri. Yes.

Mr. LA GUARDIA. I would suggest that a law is no place in which to put a speech. The first nine lines mean nothing in law but are simply a speech. For instance, the bill reads:

That due to the widespread cause and effect of the destructive flood waters of the various streams of the United States, flood control has ceased to be exclusively a local problem, and on such streams as are subject to periodic destructive floods, a Federal interest is declared to exist; that wherever flood control is feasible and economically justifiable, as shown by surveys authorized by Congress, the United States will—

And so on. Gentlemen, that is not law.

Mr. BARBOUR. Would it not have been more enlightening if, instead of putting in that language, they had stated what this is going to cost?

Mr. LA GUARDIA. That would have been helpful. Then I want to call the gentleman's attention to page 3, from lines 9 to 15; also I would like to call his attention to page 3, lines 19 to 23. I really believe the bill is not well drawn and I think it ought to go over in order to receive more study.

Mr. JENKINS. Will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. JENKINS. Can the gentleman tell from a reading of the bill what it means or what it is expected to do?

Mr. LA GUARDIA. That is what I am trying to say in polite terms.

Mr. SHORT of Missouri. This is the only bill reported by the Flood Committee at this session and is only reported because it is an emergency measure.

Mr. CRAMTON. Where did the bill come from which we passed the other day for Tittabawassee and a few others?

Mr. SHORT of Missouri. That was from Rivers and Harbors.

Mr. CRAMTON. No; that was from the Committee on Flood Control and related to various creeks and streams in various States.

Mr. LA GUARDIA. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MILITARY STATUS FOR CERTAIN AMERICAN CITIZENS

The next business on the Consent Calendar was the bill (H. R. 9893) to provide a military status for certain American citizens. There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the military status of soldiers of the United States forces during the period of the World War, April 6, 1917, to November 11, 1918, shall be extended to American citizens who fulfill the requirements set forth in paragraph 1 of this act.

1. American citizens of American birth who volunteered in the French military forces without surrendering their American citizenship, and who, while serving in flying status in the Lafayette Escadrille or Lafayette Flying Corps, received injuries of a permanent nature of more than a 10 per cent degree in line of duty between the dates of April 6, 1917, and November 11, 1918, as shown by the official records of the French War Department.

2. The benefits extended under this act shall be limited to those persons who were disabled in the manner described in paragraph 1, after they had evidenced an intention of seeking transfer to the American forces in France, and whose transfer was subsequently prevented because of such injuries. Such evidence of the intention to seek transfer

shall be presumed, upon the affirmative oral or written statement of a commissioned officer or former commissioned officer of the Army of the United States.

3. Any such persons, who fulfill the requirements set forth in paragraphs 1 and 2 of this act, and who, in the opinion of the Director of the Veterans' Bureau are in need of hospitalization and compensation, shall, upon application, either in person or through their guardians, be entitled to the same benefits and privileges under this act as if the said injuries had been received while members of the American military forces.

4. The benefits provided under this act shall be limited to those persons who have been heretofore, or may hereafter be, rated by the Veterans' Bureau as permanently disabled to a degree of not less than 50 per cent.

5. The provisions of the World War veterans' act, 1924, as amended, are hereby waived under this act in so far as the limiting dates of proof of service connection of disability and time limit of application are concerned.

6. That in order to receive benefits under this act any French pension to which the beneficiaries hereunder may be entitled shall be surrendered.

7. That no payment of compensation awarded under this act shall be retroactive in effect.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the military status of a soldier of the United States forces during the period of the World War, April 6, 1917, to November 11, 1918, shall be extended to Herman Lincoln Chatkoff, an American citizen, who was permanently injured in line of duty on June 15, 1917, while serving with the Lafayette Escadrille or Lafayette Flying Corps in France, and from date of application to the Director of the United States Veterans' Bureau he shall be entitled to the same hospital treatment and compensation as are now or may hereafter be provided by law or regulations for soldiers of the United States who served with the American expeditionary forces who have become physically disabled in line of duty.

"SEC. 2. The provisions of the World War veterans' act, 1924, as amended, are hereby waived, under this act, in so far as the limiting dates of proof of service connection of disability and time limit of application are concerned.

"SEC. 3. That in order to receive benefits under this act any French pension to which the beneficiary hereunder may be entitled shall be surrendered following the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

AMENDMENT OF LOCOMOTIVE BOILER INSPECTION ACT

The next business on the Consent Calendar was the bill (S. 3845) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, June 26, 1918, and June 7, 1924.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I take occasion under reservation of objection to point out the successive increases of salary that the Congress has voted to the inspectors of boilers under the Federal inspection law. Originally, in the Mann-Elkins Act, or in whatever act they were originally provided for, their salary was \$1,800 a year, or perhaps less. Then an amendment was brought to the House increasing the salary of the inspectors to \$3,000. There are a great number of these inspectors throughout the country. I notice that since then the salary has been increased to \$3,600, and now it is proposed to increase the salary of these inspectors to \$4,000.

I would like to ask the gentleman, who has always been alert in matters pertaining to the locomotive inspection service, and particularly the personnel connected with that service, whether their duties are very onerous, and whether there has been a large turnover in the service by reason of the fact they now receive \$3,600.

I see my colleague from the fourth Wisconsin district, with his eagle eye, as if he were ready to pounce upon me; and, if the gentleman from Ohio has not the information, I am sure my colleague has information as to whether their duties have increased and the occasion for this proposed increase of \$400.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. SCHAFER of Wisconsin. The duties of these inspectors are highly technical. I personally know many experienced locomotive engineers who have taken the civil-service examinations, and although they appeared to be exceptionally well qualified they have not been able to qualify.

Furthermore, since the present salary scale has been enacted for the inspectors, the men in the railroad service from which the inspectors have been recruited have had their salaries or wages raised on various occasions. I have received many communications from the representatives of the railway labor organizations in favor of this legislation. They believe the caliber of men employed and the technical nature of their services warrant this increase. I may frankly state that from my own personal experience I believe this inspection law is one of the best laws ever enacted by the Congress to protect men employed on the railroads as well as to protect the interests of the railroads.

I sincerely hope the gentleman will let this bill come before the House and help in its enactment into law.

Mr. STAFFORD. I now yield to the gentleman from Ohio, who may have more informative facts in answer to my query.

Mr. COOPER of Ohio. I would like to state to the gentleman from Wisconsin that this is one of the most important Government services we have to-day. It is true the salaries of the chief inspector and his two assistants and the field men have been increased from time to time, but the increases they have received have not been any greater than the increases that have been given all along the line to other Government employees.

Mr. JENKINS. Will the gentleman yield for a question?

Mr. STAFFORD. Yes.

Mr. JENKINS. Does this bill include boiler inspectors and locomotive inspectors, or is there any difference between the two grades?

Mr. COOPER of Ohio. No; locomotive boiler inspection includes the inspection of the boiler, the locomotive, the tender, and all the appurtenances connected with the locomotive.

Mr. JENKINS. Then a person designated here as a boiler inspector is a locomotive inspector?

Mr. COOPER of Ohio. Yes.

Mr. JENKINS. In line with what the gentleman has said, is it not true that it has been the policy of the Department of Commerce and all the departments that have transportation facilities in charge to get the best men possible to fill these positions?

Mr. COOPER of Ohio. The very best men; and right on that point I will say that Mr. McManamy, the chairman of the Interstate Commerce Commission, appeared before our committee a few days ago and stated they are now holding examinations for new inspectors. This examination is country wide, and he stated that not 3 per cent of those who take the examination qualify under the specifications which the Interstate Commerce Commission lays down for this position.

Mr. STAFFORD. Will the gentleman inform the House when the Congress last increased the salary of these inspectors?

Mr. COOPER of Ohio. In 1924, I believe, and the reason we are asking for this increase now is that the boiler-inspection bureau of the Interstate Commerce Commission did not come under the classification of the Welch Act of 1923 or 1924, and the Reclassification Board therefore could not consider an increase in salary for the employees of this bureau. The Interstate Commerce Commission has recommended that those in charge of the locomotive boiler inspection bureau shall have their salaries increased for the reason that they do not come under the provisions of the Welch Act. The increases asked for, in a great many instances, do not provide as large a salary as has been granted under the Welch Act for the chiefs of some of the other bureaus in our Government service.

Mr. STAFFORD. What will be the total amount of these increases?

Mr. COOPER of Ohio. About \$16,000 will be the total amount for all the increases provided in this bill.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, June 26, 1918, and June 7, 1924, is hereby amended to read as follows:

"Sec. 3. That section 3 of said act is hereby amended so as to provide that the salary of the chief inspector shall be \$7,500 per year, and the salary of each assistant chief inspector shall be \$6,000 per year.

"SEC. 4. That section 4 of said act is hereby amended so as to provide that the salary of each district inspector appointed under said act shall be \$4,000 per year."

With the following committee amendments:

Page 2, line 2, strike out the words "to read as follows:

"SEC. 3. That section 3 of said act is hereby amended."

Page 2, line 7, strike out "Sec. 4" and insert in lieu thereof "Sec. 2," and after the word "act" insert "as amended."

Page 2, line 10, strike out "year" and insert in lieu thereof "year."

Mr. O'CONNOR of Louisiana. Mr. Speaker, I move to strike out the last word of the committee amendment. I make this conventional motion for the purpose of having read, during probably two minutes, a paper which I think is most appropriate at this time for the information of Members of the House with reference to the Couzens bill. I ask the Clerk to read.

The SPEAKER pro tempore. Without objection, the Clerk will read.

The Clerk read as follows:

RAILROAD LABOR DEMANDS SQUARE DEAL FOR PUBLIC

E. J. Manion, of St. Louis, Mo., is president of the Order of Railroad Telegraphers, with 60,000 members in the United States and Canada. Members of this organization are to be found in every railroad station in this country, however small.

Mr. Manion is also secretary of the Association of Railroad Labor Executives, the organization which represents all the standard railroad labor organizations, with a membership of more than 1,000,000 in the United States and Canada. Mr. Manion is therefore in a position to speak for the railroad workers.

In a telegram to Congressman O'CONNOR of Louisiana, Mr. Manion has the following to say about the Couzens resolution:

"Thanks for your letter and interest displayed. May I point out that Couzens resolution adequately protects all involved—the public, labor, and real business—while the substitute does not, and is a crude attempt to make it appear that labor is entirely selfish and only desirous of securing unfair advantage?"

"The cause of the whole people is the cause of labor, and we have no desire to be made a special class to be pampered and subsidized as is 'big business.' For that reason we are unalterably for the Couzens resolution and against the substitute.

"E. J. MANION,

"President Order of Railroad Telegraphers."

Mr. O'CONNOR of Louisiana. Mr. Speaker, I withdraw the pro forma amendment.

The committee amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

WHOSE PROBLEM IS UNEMPLOYMENT?

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two unemployment bills, and insert therein a short statement by the New York Federation of Labor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KENNEDY. Mr. Speaker and ladies and gentlemen of the House, on May 22 I introduced in this House three bills known as H. R. 12550, H. R. 12551, and H. R. 12552. These three bills have been referred to as the unemployment bills and are identical to those introduced in the Senate by Senator WAGNER, of New York. The reference is, indeed, significant of the intent and purpose of these bills because they suggest methods which, if adopted, will help solve the terrible unemployment conditions existing throughout the United States.

I was elected to represent the eighteenth congressional district of New York at a special election held on March 11 and I was sworn in as a Member of this House on April 16. While my membership in this House has been of short duration, it was my great privilege to have represented the eighteenth Senatorial district, in the State of New York, for seven years at the State Capitol in Albany. As a State Senator, I gave particular attention to labor and welfare legislation and I intend to continue that interest as a Member of this House. Therefore, as the youngest Member of the House, in the point of service, I respectfully ask your special attention and consideration of my remarks on the three unemployment bills.

The following is a brief description of the three bills that I have introduced:

H. R. 12550 provides for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

H. R. 12551 provides for the advance planning and regulated construction of certain public works, for the stabilization of in-

dustry, and for the prevention of unemployment during periods of business depression.

H. R. 12552 provides for the establishment within the Department of Labor of the bureau of labor statistics. This bureau shall collect, collate, report, and publish at least once each month full and complete statistics of the volume of and changes in employment, as indicated by the number of persons employed, the total wages paid, and the total hours of employment, in the service of the Federal Government, the States, and political subdivisions thereof, and in the following industries and their principal branches: (1) Manufacturing; (2) mining, quarrying, and crude petroleum production; (3) building construction; (4) agricultural and lumbering; (5) transportation, communication, and other public utilities; (6) the retail and wholesale trades; and such other industries as the Secretary of Labor may deem it in the public interest to include.

I feel certain that these unemployment bills when enacted into law will be a valuable and substantial contribution to the happiness and welfare of the people of our country.

Entirely too much valuable time has been consumed by idle theorizing over the question, Whose problem is unemployment?

I have listened to all sorts of reasons and explanations regarding the best method of solving the unemployment problem. Regardless of the merit of the arguments on this subject, I respectfully insist that this is the proper forum in which constructive action should be initiated as an example for the entire country. The responsibility of the Federal Government must not be shirked, for the prevention of unemployment is a distinctly national obligation.

Unemployment to-day is not produced by local causes. The forces which make for the shutdown of factories, the curtailment of activity in the mines and on the railroads are forces which operate on a national and world-wide scale. The individual workman, the individual business, the State, are helpless when an economic storm breaks upon the country. Only the coordinated strength of the entire Nation is competent to deal with such powerful economic forces.

Unemployment has nation-wide effects. The shutdown of a factory in Boston directly affects the business of an orange grower in Florida. Purchasing power destroyed in one place is at once translated into unemployment in some other place. No scourge known to man spreads as quickly as unemployment. When it begins to spread there is no immunity which the individual workman, farmer, or business man can secure for himself. Quarantine can not stop it. State boundary lines can not stop it. Only the cooperatively organized effort of the entire Nation can prevent it. To me the evidence is overwhelmingly conclusive that the problem of unemployment is so big, so important and so complex that it will take the full and wholehearted cooperation of individuals, of business, of municipalities, of States, and the Federal Government to solve it.

The bills which have passed the Senate, due to the untiring efforts of Senator WAGNER, would have the Federal Government undertake so much of the job of preventing unemployment as it can most effectively accomplish. The sooner the Federal Government does its share, the sooner will States, municipalities, and private industries be in a position to contribute theirs. The prevention of unemployment is a national task to which the entire Nation must devote itself. Theories will not discharge the Government of the responsibility to do its part.

What portion of that task properly belongs to the Federal Government?

First. The Federal Government should collect accurate information of employment, unemployment, and part-time employment. Such information is fundamental. No intelligent effort to control unemployment can be exerted without it. To-day we have no such information. The Federal Government is the agency best equipped to secure it.

Second. The Federal Government is always engaged in constructing highways, developing rivers and harbors, erecting flood-control structures, and public buildings. It should plan these projects in advance and time them so as to make available opportunities for employment when private business slackens.

Third. The Federal Government should join with the States in the establishment of a nation-wide system of public employment offices, so as to assist workers to find jobs and to assist employers to find workers with the least amount of delay and with the least amount of friction. Such a system will establish cooperative channels for the free flow of labor between States and between markets.

This is but a bare outline of what the Federal Government can do toward the prevention of unemployment. It is such a plan which is written into the three bills which have been passed by the Senate.

If the Federal Government should begin to exercise these functions, certain definite results may be expected. We shall know where we stand from month to month. We shall no longer grope in the dark. The information will be useful to the Federal Government, to the States, and municipalities, and to each and every intelligent farmer and business man in the country, who will be enabled to guide production by prospective consumption.

Public construction will be concentrated in periods of depression. If the Federal Government will set the example the States and municipalities will do likewise. A public-works program which costs the Nation about \$3,000,000,000 a year will be turned into a balance wheel to keep employment steady. We shall begin to know something about the unemployed. We shall learn what happens to the men displaced by machines and mergers; what is the fate of men who lost their employment after 40? If we know the facts, I believe we shall find solutions.

We can not help but think of the terrors of unemployment. Poverty, penury, hunger, want, disease, and misery are still the great worry of the average man and woman from the cradle to the grave.

If we should be mindful of the anxiety and the heart-breaking scenes which are being enacted daily in the homes of the unfortunate victims of our unemployment conditions, if we should visualize the long lines of men and women applying to the various charitable organizations for a mere crust of bread to feed their children, I am sure that not one Member of this House could conscientiously refuse to vote for the passage of these bills.

The long range plan bill authorizes an appropriation of \$150,000,000; the employment exchange bill, \$4,000,000. These are big sums of money even for a country as large as the United States. But when you stop to compare these figures with the costs of unemployment, then you become competent to judge which way lies true economy. In one single month last winter factory workers alone lost in wages \$200,000,000. In the first three months of 1930 it has been estimated that wage earners alone lost no less than a billion dollars in wages. If by a little expenditure of money and a big expenditure of thought and plan we can build a dam to shut off this Niagara of money losses arising out of unemployment, is it not sound economy to do so? Consider what it would have meant to the farmer, to the manufacturer, and in turn to the worker if this vast amount of purchasing power had not been withdrawn from the markets.

If the only arguments that can be offered against the passage of these bills is the one relating to the cost to carry out the provisions of the bills, then I insist upon immediate favorable consideration, because no man with a drop of red blood in his veins can stand idly by and permit these measures to be pushed aside when he knows of the hardships and privations being suffered by so many of our best citizens for reasons beyond their control.

Are you going to permit the insistent and pathetic appeals for help to go unanswered?

If there were political advantage to be gained by championing the cause of the unemployed, this problem would have been tackled long ago. The unemployed never make campaign contributions. They do not control any portion of the press through which to bring their plight home to the American people. They maintain no lobby in Washington to tell their depressing story to their Representative in Congress. Their only spokesmen are those who have responded to the common call of humanity; the only advocates of their cause are those who pursue the welfare of our country irrespective of party advantage.

Ladies and gentlemen, I earnestly and sincerely urge you to help me have the Wagner bills, which are identical to mine and which have been passed by the Senate, reported by the Judiciary Committee of this House, so that we may have a vote before this week goes by. Please remember that no problem before this Congress is deserving of attention until we have settled this important question. Let me remind you that although the vast army of unemployed is not organized so as to conduct a vigorous campaign for the passage of these bills, that army of unemployed is anxiously watching your actions, hopeful of some relief and assistance.

There is a wide public interest in this subject, and if you will but do your duty you will have the great personal satisfaction of knowing that you have helped in a worthy cause. What greater reward could any statesman expect than the following tribute:

[New York State Federation of Labor Bulletin, June 14, 1930]

Congressman MARTIN J. KENNEDY, of New York City, who was elected to Congress while serving here as State senator this year, has intro-

duced the Wagner employment relief bills in the House of Representatives. He is a sincere and effective supporter of genuine labor legislation, as his 7-year record in the legislature of this State amply proves.

I hope that my remarks have aroused your interest in the subject of unemployment, and that the question, Whose problem is unemployment? shall not remain unanswered. My answer is that it is our problem, and I shall do everything possible to bring about the passage of this indispensable legislation. Ladies and gentlemen, will you not please accept my answer to this problem and act promptly and favorably?

COLORADO REGIMENTS AT GLORIETA PASS, 1862

Mr. EATON of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, on Glorieta Pass, and to include therein certain historical citations.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. EATON of Colorado. Mr. Speaker and Members of the House, I appear in support of H. R. 11049, which was recently introduced by me in order to have study made for the purpose of commemorating Glorieta Pass, Pigeon Ranch, and Apache Canyon, battle fields in the State of New Mexico, in which battles the First Regiment of Colorado Volunteers, sent to New Mexico by Governor Gilpin, the first Territorial governor of Colorado, played the most active part in settling the Confederate activities in the Rocky Mountain country.

The part that Colorado played in the Civil War was an exceedingly creditable one. Between four and five thousand men enlisted, and they were a superb body of citizen soldiers. The Colorado regiments were in more than a score of battles and skirmishes. They especially distinguished themselves in the hard-fought engagements in Glorieta Pass between Fort Union and Santa Fe. Eugene Parsons, in his History of Colorado, states: "This has been called the bloodiest battle of the war."

In Prince's History of New Mexico it is stated:

During the winter of 1861-62 the Confederate leaders arranged a comprehensive program of campaign for the far West, which was intended to have the very important result of separating the Pacific States from the rest of the country, and finally taking possession of them with their long line of sea coast and wealth of gold. The plan was to send an army northerly from Texas to conquer New Mexico and to take possession of the great stores of Government arms and munitions at Fort Union, and then to proceed into Colorado, thus cutting all the lines of communication between the East and the far West; and afterwards making a junction with the Mormons of Utah, whom they hoped to have as allies, and with them march to California. The importance of this campaign can hardly be overestimated, for it was intended not only to secure to the Confederacy the long unguarded coast line, which it so much needed, but by greatly extending its territory to give it vastly increased prestige in the eyes of the nations of Europe. * * *

During the fall of 1861 the Texan forces were gathered at El Paso, and by New Year included 2,300 men, commanded by Gen. H. H. Sibley. * * *

In February the southern army under General Sibley, about 2,500 strong, appeared in the valley of the Rio Grande. Sibley attempted to gain a position which commanded the fort and Canby endeavored to cut off the enemy from a water supply, the various skirmishes culminating in the Battle of Valverde on the east side of the Rio Grande on February 21, when Canby's army failed in its object, and he was forced to recross the river to Fort Craig. Sibley then marched up the valley and occupied Albuquerque, and there being no means of resistance at hand the United States officials evacuated Santa Fe on March 3 and retired to Fort Union, Sibley's army occupying the capital a week later.

Meanwhile Governor Gilpin had sent the First Regiment of Colorado Volunteers, under Col. John P. Slough, southward from Denver to the aid of the threatened territory, and after a hard march they arrived at Fort Union on March 11, where they were thoroughly armed and equipped, and whence they marched with very little delay along the old trail toward Santa Fe. They were joined by a few companies of Regular troops that had been in the north of the territory, and by a considerable number of volunteers, and on the 20th of March met the advancing Confederate Army at Apache Canon, or Glorieta. The battle fought here, though hardly known to history, was the decisive conflict which settled the result of the war in the Rocky Mountain country. On the first day only a part of each army was engaged, and the contest, though stubborn and long continued, was indecisive.

Early in the next morning Capt. Manuel Chavez led 400 men under Maj. J. M. Chivington by a circuitous and difficult path to the rear of the Confederate position. In the main battle, which was fiercely contested and which lasted for five hours, Sibley succeeded in driving the Union soldiers back some distance to Koslowsky's ranch; but at this moment Chivington fell upon the rear of the Confederate force and destroyed its wagons and supplies. The news of this loss demoralized

the Texan Army, the fate of the day was changed, and Sibley commenced a retreat southerly, evacuating Santa Fe on April 8 and proceeding down the valley. He was closely followed and was greatly embarrassed by want of supplies. On April 15, at Peralta, he was attacked by the Union forces and suffered considerable loss, and was forced to retreat as rapidly as possible to El Paso to avoid capture. * * *

This ended the campaign, and indeed was the end of the war in New Mexico so far as organized enemies were concerned. In July, the first detachments of the "California column," which had marched across the deserts of Arizona, reached Fort Thorne. * * * Its remarkable march across the desert from the Pacific to the Rio Grande is one of the most gallant achievements of the entire war.

The historian, Hubert Howe Bancroft, in the seventeenth volume of his works, states:

Colorado, under energetic Union management, not only was able to control the strong secession element within her borders but to send a regiment which struck the decisive blow in ridding her southern neighbor of invaders (p. 686).

The regiment was composed largely of "Pikes Peakers," the best of fighting material. * * * (p. 693).

The troops left Denver in February, 1862; the battle at Apache Canyon was fought March 26, when Major Chivington advanced with all of his forces to a mile beyond the rancho, at the mouth of the Apache Canyon proper, found a Texan battery posted, which opened fire. * * * After a sharp fight on the flanks the battery yielded. * * * Chivington before night fell back to Pigeon's rancho, to bury his dead, care for the wounded, and send back the prisoners (p. 694).

The Frenchman, Alex. Vallé, known as "Pigeon"—whence the name "Pigeon's rancho"—described Chivington's operations as follows: "H poot 'is 'ead down and foight loike mabd bull" (p. 695).

On the 28th, 370 Colorado Volunteers and 120 Regulars had been guided by Lieut. Col. Manuel Chavez over the mountains to the rear of the enemy, where they arrived about noon. Descending the precipitous cliffs in single file, they drove off the Texan guard, capturing several of their number, spiked the cannon, killed the mules, burned 64 wagons, and destroyed all the enemy's supplies, thus rendering it impossible for the Confederates to continue their offensive operations. This virtually ended the campaign; the "Pikes Peakers" had proved more than a match for the "Texan Rangers," saving New Mexico for the Union; and Chivington had made himself the hero of the war (p. 697).

A letter from a Texan to his wife, found at Mesilla, gives a very vivid description of the fight and of their surprise when, "instead of Mexicans and regulars," they saw "they were regular demons that iron and lead had no effect upon, in the shape of 'Pikes Peakers' from the Denver gold mines." * * * "They had no sooner got within shooting distance than up came a company of Cavalry at full charge, with swords and revolvers drawn, looking like so many flying devils. On they came to what I supposed certain destruction, but nothing like lead or iron seemed to stop them, for we were pouring it into them from every side like hail. In a moment these devils had run the gantlet for half a mile and were fighting hand to hand with our men in the road." (P. 695.)

Bancroft closes his chapter with a reference to the act of the Legislature of the Territory of New Mexico at its 1862-63 session, which passed resolutions thanking the brave California and Colorado troops for their timely aid, with one paragraph especially complimentary to the Californians, and concludes as follows:

This paragraph brought out a letter from Governor Evans, of Colorado, who, in view of the fact that the Californians had not arrived until the campaign was over, complained of injustice done to the Coloradans, who had really expelled the invader. Accordingly at the next session the legislature attempted to set the matter right, solemnly affirming, in a resolution respecting the Colorado troops, that "it is not the intention to place these brave soldiers second to none."

Some time ago I communicated with Maj. Gen. William D. Connor, commandant of the Army War College, in regard to a monument to commemorate this site, and received from him a letter under date of March 20, 1930, in which he stated:

With reference to the several questions contained in the last paragraph of your letter concerning the classification of these engagements, they all pertain to the Class II, b group mentioned in Report No. 1071 of the Sixty-ninth Congress, upon H. R. 11613.

It is noted that the skirmish at Apache Canon, in the State of New Mexico, occurred on the 26th of March, and the engagement at Glorieta, or Pigeon's Ranch, on the 28th of March, 1862; also that the commanding officers of the Federal forces were from Colorado.

No study has been made of the New Mexico campaign for the purpose of commemoration, as no request has been made for such study. Under authority of Public, No. 372, Sixty-ninth Congress, approved June 11, 1926, the Secretary of War is directed to have made studies and investigations of battle fields in the United States, but as there are several

thousand of these places, only such are considered as have been brought to the attention of the Secretary of War by a Member of Congress.

Pursuant to the suggestion in General Connor's letter, I now take the liberty of directing your attention to this campaign in the West, so that the same may be studied for the purpose of commemoration.

MEMORIAL TABLET TO OFFICERS AND MEN LOST ON THE U. S. SUBMARINE "S-4."

The next business on the Consent Calendar was the bill (S. J. Res. 140), a joint resolution to provide for the erection of a memorial tablet at the United States Naval Academy to commemorate the officers and men lost in the U. S. submarine S-4.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Resolved, etc., That the Secretary of the Navy is authorized and directed to provide for the placing of a memorial tablet in Memorial Hall at the United States Naval Academy in commemoration of the officers and men who lost their lives in the U. S. submarine S-4 on December 17, 1927.

SEC. 2. There is hereby authorized to be appropriated the sum of \$400, or so much thereof as may be necessary, to carry out the provisions of this act.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

LOAN OF SILVER SERVICE TO THE STATE MUSEUM, NEW ORLEANS

The next business on the Consent Calendar was the bill (S. 525), an act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Louisiana State Museum, of the city of New Orleans, La., the silver service in use on the cruiser *New Orleans*.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. STAFFORD. Reserving the right to object, I wish to call the attention of the gentleman from Louisiana to the fact that it is customary to provide for loaning these silver services. Would the gentleman have any objection to make an amendment?

Mr. O'CONNOR of Louisiana. I have not.

Mr. STAFFORD. I withdraw the reservation of objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized, in his discretion, to deliver to the custody of the Louisiana State Museum, of the city of New Orleans, La., for preservation and exhibition the silver service which was in use on the cruiser *New Orleans*: *Provided,* That no expense shall be incurred by the United States for the delivery of such silver service.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment:

The Clerk read as follows:

Page 1, line 4, strike out the words "deliver to the custody of" and insert in lieu thereof the words "loaned to."

The amendment was agreed to.

The bill, as amended, was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

VACATING AN ORDER FOR THE RETURN OF A BILL

Mr. CRAMTON. Mr. Speaker, on yesterday, as reported on page 11544 of the RECORD, I asked for the adoption of a request to the Senate for the return of S. 4722 to the House. I now ask unanimous consent to have that order vacated.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to vacate the order requesting the Senate to return a certain bill. Is there objection?

Mr. MILLIGAN. I object.

Mr. CRAMTON. If the gentleman will withhold his objection, it is immaterial except to clean up the records of the House. The order has not gone through the Senate, and whether it does or not does not matter a great deal. Does the gentleman insist on his objection?

Mr. MILLIGAN. Yes.

SILVER SERVICE OF CRUISER SOUTH DAKOTA

The next business on the Consent Calendar was the bill (S. 3893) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the State of South Dakota the

silver service presented to the United States for the cruiser *South Dakota*.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized, in his discretion, to loan to the Department of History of the State of South Dakota, for preservation and exhibition, the silver service which was presented to the United States for the cruiser *South Dakota*, which vessel afterwards was renamed the *Huron*, by the citizens of that State: *Provided*, That no expense shall be incurred by the United States for the delivery of such silver service.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

REGULATION OF TOLLS OVER CERTAIN BRIDGES

The next business on the Consent Calendar was the bill (H. R. 12488) to provide for the regulation of tolls over certain bridges.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Mr. Speaker, I reserve the right to object in order to ask one or two questions. As I understand it this bill provides that the saving clauses of certain bridge bills passed before May 23, 1906, should be amended so that they might come within the purview of the bill passed at that time. Is there anything in this bill anywhere that would control or seek to control the rights of any of the bridges that were constructed from 1901 on down to the time when we commenced to put in the recapture clause five years ago?

Mr. DENISON. Mr. Speaker, no. The general bridge law of March 23, 1906, authorized the Chief of Engineers or the Secretary of War in proper cases to regulate tolls. Bridge bills passed prior to that time contain no such regulation. Therefore, there is no authority now to regulate tolls on such bridges. This bill is to give the Secretary the same right to regulate tolls on bridges built prior to that time that he has on bridges built since that time.

Mr. STAFFORD. Mr. Speaker, will the gentleman inform the House to what extent the Secretary of War exercises the privilege of regulating tolls under the act referred to?

Mr. DENISON. He exercises that authority whenever complaint is made to him showing excessive tolls are being charged.

Mr. STAFFORD. In how many instances has he exercised that authority?

Mr. DENISON. I am unable to tell that, but in quite a great many.

Mr. LA GUARDIA. When complaint is made upon whom is the burden of showing that the rate is excessive?

Mr. DENISON. When complaint is made that tolls are too high and unreasonable, the Secretary of War refers the matter to the district engineer of the district in which the bill is located. He advertises or announces the fact that he will have a public hearing and anyone who wishes to be heard can appear before him and be heard. The evidence is taken down and is transcribed, and the engineer renders his decision and forwards it to the Chief of Engineers who reexamines it and either approves or disapproves his findings.

Mr. STAFFORD. Has the War Department any prescribed rule that it follows as to the basis of valuations to be followed in determining the reasonable charges of toll?

Mr. DENISON. I do not know of any such prescribed rule.

Mr. STAFFORD. The Interstate Commerce Commission has a prescribed rule so far as the valuation of interstate carriers is concerned. I am wondering whether the War Department is as meticulous in such matters and whether they have a rule as to the valuation of bridges, because the valuation is the main, primary starting point in determining whether the tolls are reasonable or not.

Mr. DENISON. As to all bridges that were built before 1906 the Secretary of War would of course have to take into consideration any legitimate elements of value that may be shown, because we can not retroactively change the general rule as to valuation in condemnation proceedings.

Mr. STAFFORD. We could under the reserved power of the right to repeal, contained from time immemorial, in all these bridge acts. We could set down the basis on which valuation should be determined. Congress can determine the yardstick.

Mr. DENISON. Of course there is no question that we can do so with reference to all bridges built hereafter, but there is a very serious doubt in my mind as to whether Congress can retroactively change the recognized rule of valuation, and

deny to the owners of a bridge every element of value to which he is entitled under the Constitution.

Mr. LA GUARDIA. We did with the railroads.

Mr. DENISON. I do not think we did. Some people claim that we did, but the Supreme Court took a different view.

Mr. LA GUARDIA. As the gentleman knows, in each separate bill, we reserve the right to alter, repeal, or amend.

Mr. DENISON. Yes.

Mr. LA GUARDIA. Does the gentleman think he can apply certain rules as to those bridges authorized by separate bills prior to 1906 in a general bill to-day?

Mr. DENISON. That is the view of our committee. We think that we can do that. It is not entirely free from doubt, but I think that Congress has the right under its general power under the commerce laws of the Constitution to regulate tolls charged on interstate commerce going over the bridges.

Mr. LA GUARDIA. I think so, too; but as the gentleman pointed out a moment ago, these bridges were built under authority contained in several specific acts, and whether we can now bring in a general law and apply it to them is not free from doubt.

Mr. DENISON. It is not entirely free from doubt, but my own judgment is we can do that.

Mr. COCHRAN of Missouri. A few days ago the gentleman from North Dakota [Mr. BURNES] told me that it had been definitely stated that hearings would be held on the question of amendments to the general bridge act at the December session of Congress. Will the gentleman confirm that?

Mr. DENISON. Yes. I submitted that matter to the Committee on Interstate and Foreign Commerce recently. I told the chairman and members of the committee that I had been working on this proposition for several years, and that unless the committee would assure me the bill would be taken up at the beginning of the next session of Congress I myself would drop the question; but that if they would grant a hearing I would perfect the bill this summer and have it ready for their consideration, and they have agreed to do that.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will read the bill S. 4517, a similar bill, on the Speaker's desk, and the bill H. R. 12488 will lie on the table.

There was no objection, and the Clerk read the Senate bill, as follows:

Be it enacted, etc., That any bridge authorized prior to March 23, 1906, by act of Congress specifically reserving to Congress the right to alter, amend, or repeal such act, shall, in respect of the regulation of all tolls, be subject to the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Mr. LA GUARDIA. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from New York is recognized.

Mr. LA GUARDIA. Mr. Speaker, I simply desire to take this opportunity to call the attention of the House to the muddled and hopeless situation that exists concerning toll bridges. While this bill, in a measure, will bring a color of control, gentlemen should just stop to consider the antiquated system under which we are operating. Think of submitting the question of the reasonableness of tolls on public bridges to the Secretary of War!

Of course, in the old days of sailing ships and horses, before the day of automobiles, or even of railroads, the Secretary of War had jurisdiction over the navigable waters in order that those waters might not be encumbered and the use of them prevented for navigable purposes. But we have outlived that condition. Even by bringing in bridges heretofore authorized under the act of 1906 is not sufficient to remedy existing evils and will bring little or no relief. All that it will do, when complaint is made to the Secretary of War, will be that the Secretary of War will refer the matter to the district engineer, an Army officer, and he will have some sort of a hearing. There is nothing in the law limiting rates or furnishing the basis and factors for rate-making purposes.

Gentlemen, soon or or later—and I hope it will be very soon—we must give this whole question of bridges thought and study and revamp and rewrite all the law on toll bridges entirely and provide first for the permit, and then put the matter of tolls under the jurisdiction of a proper department having experience and facilities for rate-making purposes.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. PATTERSON. Why does not the gentleman offer an amendment to the bill to do that? I think the gentleman is entirely right.

Mr. LA GUARDIA. I think every Member of the House will agree with me that the matter should be carefully thought out and considered. The matter requires careful consideration. A bill of this kind can not be written on the spur of the moment or by amendments from the floor. I do hope that the House will soon give the subject serious consideration, write an entirely new law on bridges, and end the abuses and exploitation possible and existing under the present law and practice.

Mr. CRAMTON. Mr. Speaker, I rise in opposition to the pro forma amendment, simply to make this suggestion in the matter of toll bridges. Probably it is not an easy problem simply because the conditions in the different places where different bridges are to be constructed are so different. I have had some feeling that some different policy should be followed in some respects, but I want to suggest that that responsibility is up to the House and to the individual Members rather than just on the Committee on Interstate and Foreign Commerce or the subcommittee and its chairman, the gentleman from Illinois [Mr. DENISON].

Mr. LA GUARDIA. I am speaking of the general conditions, and am not criticizing the gentleman from Illinois or his committee.

Mr. CRAMTON. I am sure the House understands that. In the case of some bills affecting a proposed bridge in my district, I have tried to work out plans that seemed to me to more fully protect the public interest.

I want to say that the Committee on Interstate and Foreign Commerce, and especially the gentleman from Illinois [Mr. DENISON], have been very receptive as to any suggestions, even though they have been contrary to their ordinary practice. The committee can not work out individual problems as I have attempted to work out mine, but if the Members having these bills from their districts and better acquainted with conditions will take the lead to better protect the public interest, I am sure they will have a fair hearing from that committee, and meet with very sympathetic consideration.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DENISON. Mr. Speaker, I want to state, in response to what has been said, that this subject has been given careful consideration by the Committee on Interstate and Foreign Commerce for some two or three years. As stated by the gentleman from New York [Mr. LA GUARDIA], it does seem at first thought that this matter ought not to be left to the Secretary of War or to the Chief of Engineers. But Congress adopted that policy when it enacted the general bridge act of March 23, 1906. I have maintained for several years that the general bridge law ought to be revised and codified. It is a very serious problem as to where we are going to lodge the power of regulating tolls on bridges. These bridges are scattered all over the United States. It is a question whether it is wise to put that duty on the Interstate Commerce Commission, which has no facilities for making such investigations. The investigations must, of necessity, be local, because the bridges are local. We must hesitate before we delegate that power to the Interstate Commerce Commission. Congress in 1926 said that inasmuch as the Secretary of War had division engineers or other officials all over the United States looking after the interests of navigation, we could impose that duty on the Chief of Engineers. It may be that Congress ought to change that policy and delegate the duty of regulating tolls on bridges to the Interstate Commerce Commission or some other Government agency. We expect to give this whole question further consideration and prepare a general bridge bill for the approval of Congress during the next session.

Mr. STAFFORD. Mr. Speaker, in 1906 the question was not as important as it is to-day. The increased importance has arisen from the introduction of the automobile and the construction of bridges, many crossing interstate streams. That commission would naturally be the one to do it because it is work akin to its work. But the fact that the toll bridges are scattered all over the country is no more opposing than that short-line railroads are scattered all over the country and that the traffic over railroads pertains to the entire country.

Mr. GREENWOOD. When a local community is anxious for a bridge, they are willing to have a toll bridge, where, if it is interstate in its nature, the traveling public that will go over it would have consideration, and I think some tribunal should look into the interstate features of the situation.

Mr. DENISON. That is true, but the gentleman must understand that we are not a regulating body, except to investigate the question of the cost of the bridge.

Mr. COCHRAN of Missouri. Mr. Speaker, I move to strike out the last word.

I agree with what has been said with reference to the regulation of tolls and the necessity of the committee considering the question of general revision of the bridge act of 1906, but only a small part of this bridge controversy has been touched upon to-day. I am interested in tolls, but I am also interested in the inflation of securities in connection with these projects. Congress has provided for and there have been constructed on the Mississippi River about seven bridges. Four of the seven bridges have defaulted in the payment of the interest on the bonds. The bonds were sold at par, and the bonds can now be bought at \$25 or \$30. Many of the bonds were sold in St. Louis, my home. The bridge in the gentleman's city, Cairo, has not yet had a chance to default. It has not been there long enough.

Mr. DENISON. And I may say to the gentleman it is not going to default.

Mr. COCHRAN of Missouri. I hope it will not, because many of the bonds were also sold in my city. Many of the bonds for the construction of other bridges have been sold to my constituents. I want to protect their interests. I also want to say the time has arrived when the State should have some voice as to whether a bridge should be built within its boundaries. Under present conditions Congress can pass a law providing that a bridge, an intrastate bridge, can be constructed, and, despite the fact that the State does not want a private toll bridge constructed within its boundaries, it has no voice whatsoever under existing law. There are a great many questions that have arisen since the automobile has come into use. I have been trying to get a hearing upon this question before the committee for several years, as the gentleman from Illinois [Mr. DENISON] knows.

I have introduced a bill. It was prepared by the American Association of State Highway Officials. Is approved by the United States Bureau of Public Roads. Last year we were promised a hearing at this session of Congress. We did not get the hearing. Now, we are promised a hearing in December, and I sincerely hope the gentleman from Illinois [Mr. DENISON] will see to it that we get a hearing in December.

Something must be done to stop the building of toll bridges. We must prepare proper safeguards so as to prevent promoters from inflating toll-bridge projects as they have in the past. In some instances I realize that toll bridges must be constructed by private capital, but public convenience alone should not be sufficient to enable one to secure permission to construct a bridge. The promoters should be required to show that the project is a necessity and further that it is feasible from a financial standpoint. Not one-fourth of the bridges authorized by the Congress since I started to oppose the passage of these bills have been constructed or will be constructed. The papers and magazines throughout the country have had sufficient to say regarding toll-bridge projects and toll-bridge promoters that it is practically impossible to finance a new project to-day. Toll bridges when necessary should be constructed by the States and municipalities and not by private individuals.

The pro forma amendment was withdrawn.

The Clerk concluded the reading of the bill.

The Clerk read as follows:

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

PARRIS ISLAND, S. C.

The next business on the Consent Calendar was the bill (H. R. 11367) to provide for certain public works at Parris Island, S. C.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADDITIONAL DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA

The next business on the Consent Calendar was the bill (S. 1792) to provide for the appointment of an additional district judge for the southern district of California.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I would like to ask a member of the Judiciary Committee or the sponsor of the bill why it is necessary to provide for an additional judge for the southern district of California, when California now has two Federal judicial districts with three judges in each district?

Mr. BACHMANN. I may say to the gentleman from Wisconsin that California needs a judge as badly as any other district in this country, especially southern California. The judicial council, meeting last October, found that the southern district of California was greatly in need of some assistance.

Mr. SCHAFER of Wisconsin. Will this additional judge be needed if the court commissioners bill which was sponsored on the floor of the House by the gentleman a few weeks ago becomes law? The gentleman told us that if the commissioners bill was enacted there would be no need for these additional judges.

Mr. BACHMANN. The gentleman must take into consideration the fact that only prohibition and petty criminal cases will come before the commissioners, but the need of an extra judge in southern California is on account of the congestion caused by private and civil litigation.

Mr. SCHAFER of Wisconsin. Are we to infer that there is no congestion by reason of the sumptuary Federal prohibition law? Does the gentleman have the figures before him indicating how many prohibition cases are pending in the California Federal courts?

Mr. BACHMANN. There is no question but what the enforcement of the prohibition law has caused congestion in the Federal courts.

Mr. SCHAFER of Wisconsin. And many of the cases now pending are due to the Federal prohibition law?

Mr. BACHMANN. That is not true in the southern district of California.

Mr. SCHAFER of Wisconsin. But in California?

Mr. BACHMANN. In the northern district of California that is true, but in the southern district of California the congestion is because of civil and private cases.

Mr. SCHAFER of Wisconsin. These bills are coming before the House day after day, causing an added drain on the Treasury and expense to the taxpayers as a result of the sumptuary Federal prohibition laws.

Mr. STRONG of Kansas. No; by reason of violations of the law.

Mr. SCHAFER of Wisconsin. Because we have such laws on our statute books our court calendars are becoming congested, and we have to provide more judges and appropriate many additional thousands of dollars each year. However, I shall not object, sincerely hoping that the American people will realize the fallacy and cost of prohibition in the near future and force a repeal of the eighteenth amendment and the Federal laws enacted thereunder.

Mr. PATTERSON. Reserving the right to object, and I do not intend to object, I want to make this statement: We are getting near the end of these Federal judge recommendations.

Mr. LaGUARDIA. No; we are not.

Mr. PATTERSON. I mean on the Consent Calendar.

Mr. LaGUARDIA. New York has to be taken care of yet.

Mr. PATTERSON. I do not say that we are at the end, but we are nearing it. I want to say in commendation of the fairness of the gentleman from West Virginia who introduces these bills, that when he made this investigation wherever he found necessity for an additional Federal judge, in his judgment, he introduced a bill. There was no bill introduced where it was not shown, according to his best judgment, that a Federal judge was needed. I wish to commend him for that spirit. [Applause.]

The SPEAKER pro tempore. Is there objection?

Mr. BOYLAN. Mr. Speaker, reserving the right to object, I would like to call the attention of the House to the fact that the gentleman from West Virginia has been very industrious. He has introduced bills providing for not less than 17 additional judges throughout the United States.

In addition to that he helped to have judicial powers conferred upon one thousand three hundred and odd United States commissioners. Now, what I want to call to the attention of the House is this: If the district in California needs this judge, all right; but another condition exists, and that is this—if the efforts of the gentleman from West Virginia are crowned with success, I am fearful that half the population of the United States will be put in jail. That may be the result of the appointment of 17 new judges and the conferring of judicial powers upon one thousand three hundred and odd United States commissioners. We are away behind in our jail accommodations.

While the House has passed an appropriation in the deficiency bill amounting to over \$7,000,000 for new penitentiaries and jails, it will take us at least five years to catch up; so I think we should hold in abeyance the further commitment of prisoners, if possible, until we catch up with our building program.

Mr. STAFFORD. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. STAFFORD. The gentleman is aware, from his experience in or observation of many cases in Greater New York, that many of these prisoners are committed and are awaiting trial, and that the crowded conditions existing in the jails are because there are not enough trial judges to give them an opportunity of a trial.

Mr. BOYLAN. I believe we can handle them as expeditiously as they are handled in Wisconsin. I do not think there is any special delay in New York.

Mr. STAFFORD. I say that generally throughout the country the difficulty has been that United States commissioners have committed them for trial and there are not enough trial courts to hear and dispose of the cases.

Mr. BOYLAN. You have given judicial powers to one thousand three hundred and odd commissioners.

Mr. STAFFORD. But the gentleman must remember that is dangling in the air.

Mr. BOYLAN. That is true. As I have stated, the industry of the gentleman from West Virginia [Mr. BACHMANN] will add 17 more judges and also give judicial powers to 1,300 commissioners, so I feel sure that if this program prevails, we who are out of jail can consider ourselves extremely fortunate.

Mr. LaGUARDIA. There is still hope.

Mr. STAFFORD. Especially if they have the immunity of Members of the House of Representatives.

Mr. BOYLAN. We are not going to hide behind our immunity.

Mr. LaGUARDIA. Of course, the gentleman knows the commissioners' bill is not a law as yet.

Mr. BOYLAN. I do. However, I do not want to impede the progress of the bill or to have the industry of the gentleman from West Virginia [Mr. BACHMANN] slowed up in his efforts to have more judges appointed. For that reason, and also for the reason that the people of California want this additional judge imposed upon them by the gentleman from West Virginia [Mr. BACHMANN], I will withdraw my reservation of objection.

Mr. BACHMANN. I thank the gentleman from New York.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to appoint by and with the advice and consent of the Senate, an additional district judge for the District Court of the United States for the Southern District of California. The judge so appointed shall reside in said district and his compensation and powers shall be the same as now provided by law for the judges of said district. A vacancy occurring at any time in the office of the district judge herein provided for is authorized to be filled.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE RIO GRANDE RIVER

The next business on the Consent Calendar was the bill (H. R. 12232) authorizing P. D. Anderson and W. B. Johnson, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Rio Grande River between Presidio, Tex., and Ojinaga, Mexico.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. DENISON. Mr. Speaker, I ask unanimous consent that this bill may be stricken from the Calendar. I do that at the request of the gentleman from Texas [Mr. HUDSPETH] and the gentleman who introduced the bill, the gentleman from Texas [Mr. WURZBACH].

The SPEAKER pro tempore. Is there objection?

There was no objection.

BRIDGE ACROSS THE CHOCTAWHATCHEE RIVER

The next business on the Consent Calendar was the bill (H. R. 12617) granting the consent of Congress to the State of Florida, through its highway department, to construct a bridge across the Choctawhatchee River, east of Freeport, Fla.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Florida, through its highway department, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Choctawhatchee River, at a point suitable to the interests of navigation, east of Freeport, Fla., connecting the counties of Washington and Walton, Fla., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

On page 1, line 4, strike out the words "and its successors and assigns."

In line 5, after the word "a" insert the words "free highway."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended.

SPECIAL REPORT ON THE DISEASES OF CATTLE

The next business on the Consent Calendar was House Joint Resolution 323, to authorize the printing with illustrations and binding in cloth of 120,000 copies of the Special Report on the Diseases of Cattle.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, may I suggest that owing to the number of books available now the number be reduced from 120,000 to 80,000 and the appropriation reduced accordingly.

Mr. GREENWOOD. I think there will be no particular objection to the reduction, but I do want to make this observation. There is a great demand in my district and in other congressional districts for these books, and I think so far as the information that is dispensed by the Agricultural Department is concerned there is nothing more valuable or more eagerly sought than these publications.

Something has been said in the past, perhaps by the gentleman from New York, about there being undisposed of copies in the folding room, but I have not been able to get any of them. If there are any city Representatives who have any they would like to transfer to my account I would be pleased to use them.

Mr. LAGUARDIA. This is what I have in mind, and I am sure my colleague from New York City, who is sitting here, will bear me out in the statement that we have not any very great demand in Manhattan for books on the disease of cattle.

Mr. GREENWOOD. Certainly not.

Mr. LAGUARDIA. I thought if we provided for 80,000 copies that would cover the need, or I would suggest that we let this bill go through and kill the book on the horses. Is there any demand for the horse book?

Mr. GREENWOOD. Oh, yes; the demand is just as great for those books.

Mr. CRAMTON. Will the gentleman yield?

Mr. GREENWOOD. Yes.

Mr. CRAMTON. Did some legislation providing for prints of these books go through on Calendar Wednesday when the Committee on Agriculture had the call?

Mr. GREENWOOD. No; but it has been up before on the Consent Calendar.

Mr. ANDRESEN. I may answer the gentleman by stating that a resolution went through providing for the printing of 320,000 books, but I held the matter up so the chairman of the Committee on Printing could put through this resolution in lieu of the one that had already passed the House.

Mr. CRAMTON. What has become of that bill providing for 320,000?

Mr. ANDRESEN. It is lying dormant in the Senate, not being pressed, waiting for action upon this resolution.

Mr. CRAMTON. And that was for the horse books and the cattle books?

Mr. ANDRESEN. Just the cattle books.

Mr. CRAMTON. And if this resolution goes through, then we have the gentleman's assurance that the other one will be permitted to die in the Senate?

Mr. ANDRESEN. I will not press it.

Mr. CRAMTON. The gentleman will assure us it will not go through?

Mr. ANDRESEN. So far as I know it will not go through. I have no control over the Senate, but I have not pressed it since

sometime in February, when it originally passed the House, and I do not intend to press it now.

Mr. LAGUARDIA. May I say that we are in this position: If we pass this bill to-day, the House already having passed, by default or otherwise, a bill providing for 300,000 books, there is quite a possibility of the Senate acting on both of the bills without any amendment, and we would then have 450,000 copies.

Mr. PATTERSON. My own personal feeling would be that we would not want anything like that to happen.

Mr. CRAMTON. It being the gentleman's own bill, I could hardly think that even the Senate would pass it in opposition to his wishes, although I admit it is hard to prophesy what they may do.

Mr. ANDRESEN. I have no intention of pressing it for action.

Mr. CRAMTON. That satisfies me.

Mr. GREENWOOD. In further reply to the gentleman from New York, 120,000 would give each district about 250 or 260 copies, and when we distribute that number over 8 or 10 agricultural counties, that means about 25 to the county, which is a very small allotment, and I hope the gentleman will not insist upon his proposed amendment.

Mr. BOYLAN. Will the gentleman yield?

Mr. LAGUARDIA. I yield to my colleague from Manhattan.

Mr. BOYLAN. The gentleman said the New York City Members would not require so many copies of these books.

Mr. LAGUARDIA. On diseases of the cow; yes.

Mr. BOYLAN. Let me say to the gentleman that it has been suggested by the distinguished chairman of the Committee on Banking and Currency that we may need it for the diseases of the bulls and bears. [Laughter.]

Mr. LAGUARDIA. Yes; we may need it badly before long.

I will say that the gentleman from Minnesota holds the whip hand here, having passed a resolution providing for 320,000 copies.

Mr. ANDRESEN. Five hundred for each Member.

Mr. LAGUARDIA. May we have the assurance of the gentleman from Minnesota, in whom we have the utmost confidence, if this bill passes the House to-day he will ask that no action be taken on his bill in the Senate?

Mr. ANDRESEN. I have already made that request in the Senate, pending action upon this bill.

Mr. GREENWOOD. I assume then the gentleman from New York will not ask for a reduction in the number.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of Agriculture be, and is hereby, authorized to have printed with illustrations and bound in cloth 120,000 copies of the Special Report on the Diseases of Cattle, the same to be revised and brought to date, of which 90,000 shall be for the use of the House of Representatives, 25,000 for the use of the Senate, and 5,000 for the use of the Department of Agriculture; and to carry out the provisions of this resolution there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$60,000, or so much thereof as may be necessary.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent that following the reading of the Journal and the disposition of matters on the Speaker's table to-morrow morning, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISEASES OF THE HORSE

The next business on the Consent Calendar was the joint resolution (H. J. Res. 324) to authorize the printing with illustrations and binding in cloth of 62,000 copies of the Special Report on the Diseases of the Horse.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. LEHLBACH). Is there objection to the present consideration of the joint resolution?

Mr. STAFFORD. Mr. Speaker, I have just noticed in this joint resolution and also in the prior one that there is no provision that these publications, the Diseases of Cattle and Diseases of the Horse, shall be distributed through the folding room. I think some provision should be made so that these publications will be within the control of the membership of the House, and I would suggest an amendment that so far as those available to the House are concerned they be distributed through the

folding room. Has the gentleman from Minnesota [Mr. ANDRESEN] considered the propriety of such an amendment?

Mr. ANDRESEN. The understanding we have with the chairman of the Committee on Printing is that they will be distributed through the folding room and each Member will receive his quota.

Mr. GREENWOOD. There would be no objection then to an amendment that they be so distributed?

Mr. ANDRESEN. I have no objection to the amendment.

Mr. STAFFORD. Mr. Speaker, I shall offer the amendment in due course.

There being no objection, the Clerk read the joint resolution, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and is hereby, authorized to have printed with illustrations and bound in cloth 62,000 copies of the Special Report on the Diseases of the Horse, the same to be revised and brought to date, of which 45,000 shall be for the use of the House of Representatives, 12,000 for the use of the Senate, and 5,000 for the use of the Department of Agriculture, and to carry out the provisions of this resolution there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$30,000, or so much thereof as may be necessary.

Mr. STAFFORD. Mr. Speaker, I offer an amendment on page 1, line 7, after the word "date," insert "to be distributed through the folding rooms of the Senate and the House of Representatives, respectively."

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: On page 1, line 7, after the word "date," insert "to be distributed through the folding rooms of the Senate and the House of Representatives, respectively."

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PRINTING SPECIAL REPORT ON THE DISEASES OF CATTLE

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the proceedings whereby House Joint Resolution 323 for printing Special Report on the Diseases of Cattle be vacated.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was again reported.

Mr. STAFFORD. Mr. Speaker, on page 1, line 7, after the word "date," insert the words "to be distributed through the folding rooms of the Senate and House of Representatives, respectively."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ESTIMATES FOR MAINTENANCE OF FLOOD-CONTROL WORKS, LOWELL CREEK, SEWARD, ALASKA

The next business on the Consent Calendar was the bill (H. R. 5708) for estimates necessary for the proper maintenance of the flood-control works at Lowell Creek, Seward, Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized to submit for the consideration of Congress such estimates as are, in his judgment, necessary for the proper maintenance of the flood-control work at Lowell Creek, Seward, Alaska, constructed under authority contained in Public Resolution No. 52, Sixty-ninth Congress, approved February 9, 1927.

With the following committee amendments:

Line 3, after the word "submit," insert the words "from time to time."

Line 8, after the figures "1927," strike out the period, insert a comma, and the following words: "and appropriations are hereby authorized to be made for such estimates as may be found necessary."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GAME REFUGE WITHIN Ocala NATIONAL FOREST, FLA.

The next business on the Consent Calendar was the bill (S. 1959) to authorize the creation of game sanctuaries or

refuges within the Ocala National Forest in the State of Florida.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I can not approve of a bill creating a bird sanctuary and then in a proviso destroying the very purpose of the sanctuary. Of course, if there is consent given to strike out the proviso on page 2, commencing at line 16 I will not object.

Mr. GREENWOOD. I want to concur in the gentleman's position. I do not believe in legislating for some department to fix regulations so that the sanctuary may be destroyed. I want to support the gentleman's amendment.

Mr. LAGUARDIA. Under the guise of destroying surplus animals and birds the whole purpose of the sanctuary is destroyed.

Mr. YON. This is not my bill, but the gentleman from Florida [Mr. GREEN] is unavoidably absent, and under the circumstances the bill better be passed over without prejudice.

Mr. LAGUARDIA. I spoke to the gentleman from Florida [Mr. GREEN], or he consulted me, and I told him my objections to it. I think he understands my objection and I think he would sooner have the bill passed with the proviso stricken out.

Mr. YON. If the gentleman does not mind, I would like to have the bill passed over without prejudice.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Without objection it is so ordered.

RELIEF OF CERTAIN TRIBES OF INDIANS IN MONTANA, IDAHO, AND WASHINGTON

The next business on the Consent Calendar was the bill (H. R. 11753) to amend an act for the relief of certain tribes of Indians in Montana, Idaho, and Washington.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. I object.

Mr. STAFFORD and Mr. LAGUARDIA also objected.

The SPEAKER pro tempore. Three objections having been heard the bill is stricken from the calendar.

GRANTING OIL AND GAS PROSPECTING PERMITS

The next business on the Consent Calendar was the bill (S. 317) an act to authorize the Secretary of the Interior to grant certain oil and gas prospecting permits and leases.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I am waiting to learn the difference between what is granted in these bills and the relief desired.

Mr. CARTER of Wyoming. Let me say that the original claims were filed under the placer mining law, and when they applied for a patent the Commissioner of the General Land Office told them that they had had sufficient discovery and they paid their money. On review they said there was not sufficient discovery to grant a patent. In the meantime the leasing law went into effect and under section 19 of this law they were given six months to do assessment work, but while going for a patent the six months expired.

Mr. LAGUARDIA. See if I get this right. They filed claims under the placer law and if they had been given the patent they could mine without paying any royalty. But under the leasing law they had to pay a royalty? They failed in that?

Mr. CARTER of Wyoming. Yes.

Mr. LAGUARDIA. And in the meantime the time had expired?

Mr. CARTER of Wyoming. Yes.

Mr. EATON of Colorado. During this period of six months the Department of the Interior had determined that their application was good and valid, and the money had been paid, and as far as they knew it was simply a matter of doing the clerical work of writing the patent. At a later time the Department of the Interior changed its mind, but this preferential right had expired while the papers were held in the department.

Mr. LAGUARDIA. So that if this bill becomes a law they will be enabled to obtain oil?

Mr. EATON of Colorado. Yes.

Mr. LAGUARDIA. And pay royalty?

Mr. CARTER of Wyoming. Yes.

Mr. EATON of Colorado. Under the leasing bill they had in 1920.

Mr. LAGUARDIA. And if this bill fails, what is the condition of this company?

Mr. CARTER of Wyoming. They have a lawsuit on their hands. In a letter from the Secretary of the Interior ad-

dressed to me, dated May 24, 1930, he says among other things:

The danger of drainage mentioned in your letter is believed to be such as to make it a matter of concern to this department that early action be taken by Congress, to the end that the royalty interests of the Government may be fully protected, and the controversy be terminated fairly for both the Government and the company.

Mr. LAGUARDIA. And if this bill fails, how does this company stand in relation to all other applicants who desire to go on that land for oil?

Mr. EATON of Colorado. If this bill fails, then the Government must permit the leasing to go at a lower rate per barrel of oil under other provisions of the bill than it can obtain under this particular provision of the bill, under which they want to lease these lands.

Mr. LEAVITT. The situation as it has been presented to me by the Department of the Interior is that this bill must be passed in behalf of the Government or a long litigation will result while the land is being drained.

Mr. LAGUARDIA. Then is there danger that this land is being drained?

Mr. LEAVITT. At the time these claims were presumably being perfected drilling went on, and it was only a matter of 1,500 or 1,600 feet, but much deeper wells are now being drilled on three sides of these lands.

Mr. LAGUARDIA. And these other wells are on private property?

Mr. CARTER of Wyoming. The lands are all under royalty of about 5 per cent, and the minimum of this is 12½ per cent, and it may be 33 per cent.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to grant either prospecting permits or leases under the terms and conditions of section 19 of the act approved February 25, 1920 (41 Stat. L. p. 437, title 30, sec. 227, U. S. C.), to any claimant of title under the placer mining laws, to the southeast quarter of section 30, the east half of section 31, and the northwest quarter and southeast quarter of section 32, in township 51 north, range 100 west of the sixth principal meridian, in the State of Wyoming: *Provided*, That satisfactory evidence be submitted of entire good faith of such claimant under the mining laws, although without such evidence of discovery as to satisfy said Secretary of the claimant's right to a patent; also, that said lands were not reserved or withdrawn at date of initiation of mining claims thereto; also, that applications for such permits or leases be filed within six months from date of this enactment, and that at date of such filing the area covered thereby be free from any valid adverse claim of any third person.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

QUARANTINE AGAINST INTERSTATE SHIPMENT OF LIVESTOCK

The next business on the Consent Calendar was House Joint Resolution 326, for the amendment of the acts of February 2, 1903, and March 3, 1905, as amended, to allow the States to quarantine against the shipment thereto or therein of livestock, including poultry, from a State or Territory or portion thereof where a livestock or poultry disease is found to exist, which is not covered by regulatory action of the Department of Agriculture, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I object.

Mr. JENKINS. I object.

Mr. JOHNSON of Texas. Mr. Speaker, I object.

BRIDGE ACROSS FOX RIVER, AURORA, ILL.

The next business on the Consent Calendar was the bill (H. R. 12614) granting the consent of Congress to the city of Aurora, Ill., to construct, maintain, and operate a free highway bridge from Stolps Island in the Fox River at Aurora, Ill., to connect with the existing highway bridge across the Fox River north of Stolps Island.

There being no objection to the consideration of the bill, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of Aurora, Ill., to construct, maintain, and operate a free highway bridge from Stolps Island in the Fox River at Aurora, Ill., to connect with the existing highway bridge across the Fox River north of Stolps Island, at a point suitable to the interests of navigation, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

SATURDAY HALF HOLIDAY FOR CERTAIN GOVERNMENT EMPLOYEES

The next business on the Consent Calendar was the bill (S. 471) providing for a 44-hour week for certain Government employees.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Mr. Speaker, I object.

Mr. WOOD. Mr. Speaker, I object.

Mr. SNELL. Mr. Speaker, I object.

CLASSIFICATION OF CERTAIN CIVILIAN POSITIONS

The next business on the Consent Calendar was the bill (S. 215) to amend section 13 of the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," as amended by the act of May 28, 1928.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. As I understand this bill, it seeks to increase the salaries to be paid in the highest grade by a general average of \$100. It is to create further promotion so that the salaries of all of the clerks shall be increased \$100?

Mr. LEHLBACH. Not at all. Under the Welch Act, which was passed in 1928, it was intended to revise the schedules carried in the compensation schedules of the classification act so as to bring about an increase of \$120 a year by dropping the two lower salary rates within a grade and adding two higher salary rates at the top of the range of the grade. As a matter of compromise in some instances there was only one salary rate added to the top and that resulted in having not the same number of rates within a grade as heretofore. The act provided that employees should retain the same respective rates in the grades as heretofore, but a construction by the Comptroller General brought about the result that about 60 per cent of the employees received an increase of \$120, and about 40 per cent in the same offices throughout the services received only \$60. This is to restore the original plan and have the same number of salary steps within a grade, so that uniformity may be carried to the employees. I have a letter before me from Col. J. Clawson Roop, the Director of the Budget, which I shall read:

JUNE 24, 1930.

DEAR MR. LEHLBACH: I have your inquiry of even date regarding the relation of S. 215, "An act to amend section 13 of the act of March 4, 1923, entitled 'An act to provide for the classification of civilian positions within the District of Columbia and in the field services,' as amended by the act of May 28, 1928," to the financial program of the President.

I beg to advise you that the expenditures contemplated by the bill S. 215, as reported in the House of Representatives, with amendments, would not be in conflict with the financial program of the President.

Yours very truly,

J. CLAWSON ROOP, Director.

Mr. STAFFORD. Did I understand that in the operation of the Welch Act the clerks receive automatic promotions to higher grades if their work is proficient and satisfactory?

Mr. LEHLBACH. It is not a promotion to a higher grade. It is a higher salary for the position in the grade in which it is allocated; and in some instances, as I say, that resulted in a salary carrying an additional \$60 being provided, while employees in like circumstances and like grades received an increase of \$120. This is to equalize that.

I have explained the full purport and the scope of the original bill. But the House committee reported it out with an amendment, which at the same time restores the authority of the Personnel Classification Board in reviewing and revising allocations that heretofore existed, but of which the board was stripped by a ruling of the Comptroller General. That destroys the uniformity of salaries throughout the service, because to insure it you must have one central agency that has the last say. This restores that part of the law as it was before the opinion of the Comptroller General changed it.

Mr. STAFFORD. Do the employees receive the same salaries while in the departments as in the field service?

Mr. LEHLBACH. So far as possible they do. A survey has been made, and a full report will be available at the next session of Congress, so that a revision and classification can be made, making the field and District services uniform. The present classification provides only for the District of Columbia; but in so far as it is administratively possible, it has been

extended by authority carried in appropriation bills to the field services.

Mr. PATTERSON. Does this add to the higher salaries?

Mr. LEHLBACH. Absolutely not. It only applies to the ordinary run of clerks.

Mr. PATTERSON. To the lower class?

Mr. LEHLBACH. Yes.

Mr. JENKINS. Is it not true that the clerks' organization opposes this?

Mr. LEHLBACH. Not at all. The bill has the most hearty approval of the general officers of the National Federation of Federal Employees. This is the only organization to which the ordinary run of clerks in the departments belong. There is no rival organization.

Mr. SCHAFER of Wisconsin. What is the attitude of the Comptroller General?

Mr. LEHLBACH. The Comptroller General and the Budget Bureau have no objection to the administrative provisions of this bill.

Mr. LANKFORD of Virginia. Does this apply to the clerks in the field service?

Mr. LEHLBACH. I have an amendment here which makes it specifically applicable.

Mr. PATTERSON. It does extend to the field service?

Mr. LEHLBACH. It does in so far as the rates carried in the District of Columbia are applicable. This bill to that extent will apply to the field service as well as to the District service.

Mr. JENKINS. Does it apply to the Immigration Service?

Mr. LEHLBACH. To the best of my information, it does.

Mr. JENKINS. The gentleman said a moment ago that a survey begun a couple of years ago will be able to report at the next session of Congress.

Mr. LEHLBACH. Yes.

Mr. JENKINS. Is it not true that the report made a few months ago was voluminous, but only a preliminary report?

Mr. LEHLBACH. That was a report of schedules without the schedules being finally approved by the departments. If it were not for the fact that this session of Congress is drawing to a close, inside of three or four weeks we would have that final report. It is almost ready.

Mr. JENKINS. We have a bill pending in our committee for an increase of salaries in the Immigration Service. I am informed that there is nothing anywhere that contemplates an increase of salary for those people.

Mr. LEHLBACH. Surely, because the survey is made for the express purpose of making a complete classification of the field services throughout the Government, including the Immigration Service.

Mr. JENKINS. It may be that it does not cover every activity. Does the gentleman contemplate that at the next session of Congress we shall have another report coming forward if this bill does not cover the entire service?

Mr. LEHLBACH. This bill only seeks to correct the inequalities of the Welsh bill. It is not intended to be a complete measure covering the entire situation in the governmental service.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 13 of the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," as amended by the act of May 28, 1928, be amended to change the salary rates under certain grades therein to read as follows:

"PROFESSIONAL AND SCIENTIFIC SERVICE"

"Grade 1: The annual rates of compensation for positions in this grade shall be \$2,000, \$2,100, \$2,200, \$2,300, \$2,400, \$2,500, and \$2,600.

"Grade 2: The annual rates of compensation for positions in this grade shall be \$2,600, \$2,700, \$2,800, \$2,900, \$3,000, \$3,100, and \$3,200.

"Grade 3: The annual rates of compensation for positions in this grade shall be \$3,200, \$3,300, \$3,400, \$3,500, \$3,600, \$3,700, and \$3,800.

"Grade 4: The annual rates of compensation for positions in this grade shall be \$3,800, \$4,000, \$4,200, \$4,400, and \$4,600.

"Grade 5: The annual rates of compensation for positions in this grade shall be \$4,600, \$4,800, \$5,000, \$5,200, and \$5,400, unless a higher rate is specifically authorized by law.

"SUBPROFESSIONAL SERVICE"

"Grade 1: The annual rates of compensation for positions in this grade shall be \$1,020, \$1,080, \$1,140, \$1,200, \$1,260, \$1,320, and \$1,380.

"Grade 2: The annual rates of compensation for positions in this grade shall be \$1,260, \$1,320, \$1,380, \$1,440, \$1,500, \$1,560, and \$1,620.

"Grade 3: The annual rates of compensation for positions in this grade shall be \$1,440, \$1,500, \$1,560, \$1,620, \$1,680, \$1,740, and \$1,800.

"Grade 4: The annual rates of compensation for positions in this grade shall be \$1,620, \$1,680, \$1,740, \$1,800, \$1,860, \$1,920, and \$1,980.

"Grade 5: The annual rates of compensation for positions in this grade shall be \$1,800, \$1,860, \$1,920, \$1,980, \$2,040, \$2,100, and \$2,160.

"Grade 6: The annual rates of compensation for positions in this grade shall be \$2,000, \$2,100, \$2,200, \$2,300, \$2,400, \$2,500, and \$2,600.

"Grade 7: The annual rates of compensation for positions in this grade shall be \$2,300, \$2,400, \$2,500, \$2,600, \$2,700, \$2,800, and \$2,900.

"Grade 8: The annual rates of compensation for positions in this grade shall be \$2,600, \$2,700, \$2,800, \$2,900, \$3,000, \$3,100, and \$3,200.

"CLERICAL, ADMINISTRATIVE, AND FISCAL SERVICE"

"Grade 1: The annual rates of compensation for positions in this grade shall be \$1,260, \$1,320, \$1,380, \$1,440, \$1,500, \$1,560, and \$1,620.

"Grade 2: The annual rates of compensation for positions in this grade shall be \$1,440, \$1,500, \$1,560, \$1,620, \$1,680, \$1,740, and \$1,800.

"Grade 3: The annual rates of compensation for positions in this grade shall be \$1,620, \$1,680, \$1,740, \$1,800, \$1,860, \$1,920, and \$1,980.

"Grade 4: The annual rates of compensation for positions in this grade shall be \$1,800, \$1,860, \$1,920, \$1,980, \$2,040, \$2,100, and \$2,160.

"Grade 5: The annual rates of compensation for positions in this grade shall be \$2,000, \$2,100, \$2,200, \$2,300, \$2,400, \$2,500, and \$2,600.

"Grade 6: The annual rates of compensation for positions in this grade shall be \$2,300, \$2,400, \$2,500, \$2,600, \$2,700, \$2,800, and \$2,900.

"Grade 7: The annual rates of compensation for positions in this grade shall be \$2,600, \$2,700, \$2,800, \$2,900, \$3,000, \$3,100, and \$3,200.

"Grade 8: The annual rates of compensation for positions in this grade shall be \$2,900, \$3,000, \$3,100, \$3,200, \$3,300, \$3,400, and \$3,500.

"Grade 9: The annual rates of compensation for positions in this grade shall be \$3,200, \$3,300, \$3,400, \$3,500, \$3,600, \$3,700, and \$3,800.

"Grade 10: The annual rates of compensation for positions in this grade shall be \$3,500, \$3,600, \$3,700, \$3,800, \$3,900, \$4,000, and \$4,100.

"Grade 11: The annual rates of compensation for positions in this grade shall be \$3,800, \$4,000, \$4,200, \$4,400, and \$4,600.

"Grade 12: The annual rates of compensation for positions in this grade shall be \$4,600, \$4,800, \$5,000, \$5,200, and \$5,400, unless a higher rate is specifically authorized by law.

"CUSTODIAL SERVICE"

"Grade 2: The annual rates of compensation for positions in this grade shall be \$1,080, \$1,140, \$1,200, \$1,260, \$1,320, and \$1,380: *Provided*, That charwomen working part time be paid at the rate of 50 cents an hour and head charwomen at the rate of 55 cents an hour.

"Grade 4: The annual rates of compensation for positions in this grade shall be \$1,320, \$1,380, \$1,440, \$1,500, \$1,560, \$1,620, and \$1,680.

"Grade 5: The annual rates of compensation for positions in this grade shall be \$1,500, \$1,560, \$1,620, \$1,680, \$1,740, \$1,800, and \$1,860.

"Grade 6: The annual rates of compensation for positions in this grade shall be \$1,680, \$1,740, \$1,800, \$1,860, \$1,920, \$1,980, and \$2,040.

"Grade 7: The annual rates of compensation for positions in this grade shall be \$1,860, \$1,920, \$1,980, \$2,040, \$2,100, \$2,200, and \$2,300.

"Grade 8: The annual rates of compensation for positions in this grade shall be \$2,000, \$2,100, \$2,200, \$2,300, \$2,400, \$2,500, and \$2,600.

"Grade 9: The annual rates of compensation for positions in this grade shall be \$2,300, \$2,400, \$2,500, \$2,600, \$2,700, \$2,800, and \$2,900.

"Grade 10: The annual rates of compensation for positions in this grade shall be \$2,600, \$2,700, \$2,800, \$2,900, \$3,000, \$3,100, and \$3,200.

"CLERICAL-MECHANICAL SERVICE"

"Grade 1: The rates of compensation for classes of positions in this grade shall be 55 to 60 cents an hour.

"Grade 2: The rates of compensation for classes of positions in this grade shall be 65 to 70 cents an hour.

"Grade 3: The rates of compensation for classes of positions in this grade shall be 75 to 80 cents an hour.

"The heads of the several executive departments and independent establishments of the Government whose duty it is to carry into effect the provisions of this act are hereby directed to so administer the same that employees whose positions are in the grades affected hereby, who were in said positions on June 30, 1928, and who, under the act of May 28, 1928, did not receive an increase in salary the equivalent of two steps or salary rates in their respective grades shall be given such additional step or steps or salary rates or rates, within the grade, effective from July 1, 1928, as may be necessary to equal such increase: *Provided*, That nothing herein shall prevent or operate to revoke the promotion or allocation for an employee to a higher salary rate or grade: *Provided further*, That nothing contained in this act shall operate to decrease the pay of any present employee, nor deprive any employee of any advancement authorized by law and for which funds are available."

SEC. 2. The heads of the several executive departments and independent establishments are authorized and directed to adjust, effective as of July 1, 1928, the compensation of certain civilian positions in the field services, the compensation of which was adjusted by the act of December 6, 1924, to correspond, so far as may be practicable, to the

rates established by the act of May 28, 1928, and by this act for positions in the departmental services in the District of Columbia.

SEC. 3. Except as amended by this act the provisions of the act of May 28, 1928, shall remain in full force and effect.

With the following committee amendments:

Page 7, line 1, after the word "grade," strike out the words "effective from July 1, 1928."

Page 7, line 12, after the word "adjust," strike out the words "effective as of July 1, 1928."

Page 7, line 23, add new sections, sections 4, 5, and 6, as follows:

"SEC. 4. The Personnel Classification Board shall have sole jurisdiction to determine finally the grade, or subdivision thereof, to which all positions which are subject to the compensation schedules of the classification act of 1923, and amendments thereto, shall be allocated, and it shall have authority to ascertain currently the facts as to the duties and responsibilities of any such position and to review and change the allocation thereof whenever, in its opinion, the facts warrant: *Provided*, That such review and change shall be made only after consultation with the heads of the departments concerned and after affording all incumbents of positions affected an opportunity to be heard, of which hearing a permanent written record shall be made and kept, including all testimony taken: *Provided further*, That in all cases where the board shall change the allocation of a position to a lower grade the rate of pay fixed for such position prior to such change may be continued so long as the position is held by the incumbent then occupying it.

"SEC. 5. There is hereby authorized to be appropriated annually for salaries and expenses of the Personnel Classification Board such sums as may be necessary to enable them to carry into effect the provisions of the classification act of 1923 and amendments thereto: *Provided*, That nothing contained herein shall be interpreted to preclude the temporary detail to the board of officers or employees of the several departments possessed of special knowledge, ability, or experience required in the classification of positions as now authorized by law.

"SEC. 6. There is hereby created a position of director of classification, who shall be appointed by the board, and who, under the general direction of the board, shall exercise and perform all powers and duties which the board is authorized to exercise and perform."

The committee amendments were agreed to.

Mr. LEHLBACH. I offer an amendment, Mr. Speaker.

The SPEAKER. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LEHLBACH: In section 2, page 7, line 19, strike out the period and insert a colon and the words "*Provided*, That the terms of this act shall apply to employees carried under Group 4-B in the schedule of wages for civil employees under the Naval Establishment, notwithstanding the fact that the compensation of such employees was not adjusted by the act of December 6, 1924 (43 Stat. 604), or the act of May 28, 1928 (U. S. C., Supp. 3, title 5, sec. 673).

Mr. STAFFORD. Mr. Speaker, I rise in opposition to the amendment for the purpose of inquiring whether the amendment has any retroactive character?

Mr. LEHLBACH. Not at all. I may say to the gentleman that the bill, as it passed the Senate, made the pay adjustment retroactive to May, 1928, but our committee struck out every retroactive feature before we reported it out.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS RAINY RIVER AT BAUDETTE, MINN.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to return to No. 654 on the calendar, H. R. 12233, authorizing the Robertson & Janin Co., of Montreal, Canada, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at Baudette, Minn.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Reserving the right to object, this is the bill which I objected to a few minutes ago. I do not like this bill, but since it is across an international boundary and it has been explained to me not only by the gentleman from Minnesota but by several other gentlemen who think it should pass, I will not object at this time; but I want to make the statement before withdrawing my objection that I am opposed to these private toll bridges. I serve notice now that unless there is some very specific reason shown why they should be passed I shall object to any private bridge bills in the future. It does not matter whether it is in my State, or where it is, I am

opposed to these private toll bridges, where national highways are built and people cross on them.

I withdraw the reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes Robertson & Janin Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rainy River, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at Baudette, Minn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this act, and subject to the approval of the proper authorities in Canada.

SEC. 2. There is hereby conferred upon Robertson & Janin Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Minnesota needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Minnesota upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Robertson & Janin Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of Canada applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Robertson & Janin Co., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 24, strike out the word "Canada" and insert the word "Minnesota."

Page 3, line 6, strike out the word "assigns" and the semicolon and insert the word "assigns" and a comma.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

OCALA NATIONAL FOREST, FLA.

Mr. GREEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 692, the bill (S. 1959) to authorize the creation of game sanctuaries or refuges within the Ocala National Forest in the State of Florida, and I ask that it be considered at this time.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Reserving the right to object, I asked that this bill be passed over a little while ago in the absence of the gentleman from Florida, who was for the moment in the cloak room. My objection is to the proviso in the bill on page 2, commencing on line 16, which could destroy the very purpose of the sanctuary, by rules or regulations, permitting hunting under the guise of the surplus animal or birds' act. If the gentleman will accept an amendment which I shall later offer striking out the last proviso, I shall not object to the consideration of the bill.

Mr. GREEN. Of course, I do not believe the department would issue any regulation which would be detrimental to the purposes of the bill, and the Legislature of the State of Florida has, by special act, ceded the game in that preserve to the Federal Government. Of course, I would rather not have the gentleman's amendment, but if the gentleman insists on it, I would prefer to have the amendment rather than to have the bill not passed.

Mr. LEAVITT. Will the gentleman yield?

Mr. GREEN. I yield.

Mr. LEAVITT. What kind of game is on this sanctuary?

Mr. GREEN. Deer, turkey, and quail.

Mr. LEAVITT. If this provision is not left in the bill, such a situation might arise as existed on the Kaibab sanctuary, and there might be an excess of game without feed for them.

Mr. CRAMTON. Will the gentleman yield?

Mr. LEAVITT. I yield.

Mr. CRAMTON. I never agreed with the department on the Kaibab situation.

Mr. LEAVITT. Of course; but I did. I am not presenting my views except for the consideration of the gentleman. I do not know anything about the merits of this bill.

Mr. SCHAFER of Wisconsin. If the gentleman is not going to accept the amendment suggested by the gentleman from New York [Mr. LA GUARDIA] I shall object to the bill.

Mr. GREEN. I said that while I did not like the amendment, I would acquiesce in it rather than not have the bill passed.

Mr. LA GUARDIA. With that understanding I shall not object.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to designate as game refuges such lands of the United States within the Ocala National Forest, in the State of Florida, as in his judgment should be set aside for the protection of game animals and birds, but it is not intended that the lands so designated shall cease to be parts of the national forest within which they are located, and the establishment of such game sanctuaries or refuges shall not prevent the Secretary of Agriculture from permitting other uses of the lands under and in conformity with the laws and regulations applicable thereto so far as such uses may be consistent with the purposes for which such game sanctuaries or refuges are established.

SEC. 2. That when such game sanctuaries or refuges have been established as provided in section 1 hereof, the hunting, pursuing, poisoning, killing, or capturing by trapping, netting, or any other means, or attempting to hunt, pursue, kill, or capture any game animals or birds upon the lands of the United States within the limits of such game sanctuaries or refuges, except as herein provided, shall be unlawful, and any person violating any of the provisions of this act, or any of the rules and regulations made thereunder, shall be deemed guilty of a misdemeanor and shall, upon conviction in any United States court, be fined in a sum not exceeding \$500 or imprisoned not more than six months, or both; *Provided*, That the Secretary of Agriculture is hereby authorized to make all needful rules and regulations for the administration of such game sanctuaries or refuges in accordance with the purposes of this act, including regulations not in contravention of State laws, for disposing of any surplus animals or birds which he finds to be within the limits of said game sanctuaries or refuges.

Mr. LA GUARDIA. I offer an amendment, Mr. Speaker.

The SPEAKER. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LA GUARDIA: On page 2, line 16, after the word "both," strike out the colon and insert a period and strike out the balance of the section.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SENECA NATION OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 11203) to ratify certain leases with the Seneca Nation of Indians.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOYLAN. Mr. Speaker, reserving the right to object—and I shall not object—I would like an explanation of this bill. Is somebody stealing some land of the Indians, or what is it?

Mr. MEAD. Mr. Speaker, this bill ratifies certain leases negotiated by the town of Brant with the Seneca Nation of Indians. The Seneca Reservation is located adjacent to the town of Brant. The leases embrace 2 parcels of property, 1 comprising 32 acres of property on the shore of Lake Erie and the other a sufficient amount of land to permit a public highway to be constructed from the Lake Shore Road to the park. This is a public park. The park is for the use of the Indians and the residents of the township of Brant. The township has already expended \$20,000 in improvements on this property. They provide life guards and other accommodations which the

Indians could not provide for themselves. There is no profit made on this park; it is just as free for the Indians to use it as it is for the residents of the township.

Mr. CRAMTON. Do the Indians get the use of it?

Mr. MEAD. Yes; the Indians get the use of it as much as the residents of the township of Brant; they live closer to it and it is a part of their reservation.

Mr. CRAMTON. If the gentleman will yield, as far as appears I have no objection, but it does not seem to be an urgent matter because one of these leases was dated in 1917 and the other in 1923.

Mr. MEAD. Well, I will say to the gentleman that heretofore the Bureau of Indian Affairs has rather hesitated to take any part in activities concerning the Indians of New York. The officials of the town came here a few years ago and they were advised to take the matter up with the Attorney General of the State of New York, which was done. Later on, the officials of the town of Brant, desirous of having the matter definitely and properly settled, again renewed their activities and insisted on having the leases considered here in Washington.

Mr. CRAMTON. I am not criticizing the delay, but I am just stating there has been this delay and, I take it, nobody has suffered from the delay. My suggestion is this: Either the Federal Bureau of Indian Affairs has something to do with the lands of these Indians or it does not. This bill is on the theory that it has something to do with them, and yet the report of the Commissioner of Indian Affairs shows that—

No copy of either of the leases is in the file.

I feel that before the Bureau of Indian Affairs makes a report upon certain leases affecting Indian lands it ought to have at hand a copy of the leases in question.

Mr. LEAVITT. The committee required that the leases be shown, and the supervisor of the town of Brant appeared before the committee.

Mr. CRAMTON. The responsibility is in the hands of the Bureau of Indian Affairs, and before they make any report upon a matter affecting the lands of these Indians they should have before them the leases in question. I am going to be obliged to ask that the bill go over until the Bureau of Indian Affairs has in its files a copy of each of the leases in question and then makes a report. So far as I know now, I would not then object to the bill, but it seems to me extraordinary that the Bureau of Indian Affairs should make a report upon certain leases without having the leases before them.

Mr. MEAD. I will say that the representatives of the town called on the Commissioner of Indian Affairs and explained to him the exact nature of the leases.

Mr. CRAMTON. Why were they not filed? Why did they not leave copies of the leases with the Bureau of Indian Affairs?

Mr. MEAD. I really can not answer that question.

Mr. CRAMTON. I do not want to embarrass the situation, and it does not seem to me I do, because they are getting along very nicely without Government approval.

Mr. MEAD. The point is that the town of Brant has already invested \$20,000 in this park and contemplates further improvements, but they have been advised they have no legal right to the property unless a lease is ratified by the Government of the United States.

Mr. CRAMTON. I have enough interest in Indian matters that I can not see the Bureau of Indian Affairs getting into the loose habit of sending a report on a lease they have never seen. They could say they have nothing to do with it, if that is the situation.

Mr. MEAD. They say they have very little to do with the Indians in New York.

Mr. CRAMTON. Suppose we let it go over, so that copies of the leases may be furnished to the bureau, and then, if they say it is all right, I presume there will be no difficulty.

Mr. MEAD. That is agreeable as far as I am concerned.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDMENT TO FEDERAL FARM LOAN ACT

The next business on the Consent Calendar was the bill (S. 4028) to amend the Federal farm loan act as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object—

Mr. McFADDEN. Will the gentleman permit an explanation?

Mr. LA GUARDIA. Yes; and it will have to be a good one to remove my objection to the bill.

Mr. McFADDEN. Mr. Speaker, in view of the importance of this measure I desire to make a statement about it.

This bill would amend the Federal farm loan act so that effective with the appropriation for expenditures of the Federal Farm Loan Bureau for the fiscal year beginning July 1, 1930, the assessments to be made against the Federal land banks, joint-stock land banks, and Federal intermediate credit banks under section 3 of the Federal farm loan act would be limited to the salaries and expenses of the employees of the Federal Farm Loan Bureau engaged in the work of its division of examinations, such expenses and salaries, together with all other expenses and salaries of the board, to be disbursed on appropriations made by the Congress.

The subject is one of direct concern to the Federal land banks, the joint-stock land bank, and the Federal intermediate credit banks of the farm loan system, as well as the Treasury, because, under the Federal farm loan act as it now stands, section 3 provides that "the salaries and expenses of the Federal Farm Loan Board, its officers and employees, farm-loan registrars, deputy registrars, examiners, and reviewing appraisers, authorized under this act, or any subsequent amendments thereto, shall be paid by the Federal land banks, joint-stock land banks, and the Federal intermediate credit banks" by assessments made on such equitable basis as the Federal Farm Loan Board shall determine, giving due consideration to time and expense necessarily incident to the supervision of the operation of each type of bank. The act as originally passed in 1916, however, provided in section 3 that "the salaries and expenses of the Federal Farm Loan Board, and of farm-loan registrars and examiners authorized under this section, shall be paid by the United States," and remained in this form until 1923. The law was amended on March 4, 1923, so as to require that after June 30, 1923, all salaries and expenses incurred by the board be assessed against the Federal land banks, joint-stock land banks, and Federal intermediate credit banks, and the act of March 4, 1925, amended the law to read as it now stands.

The Federal Farm Loan Board was reorganized in May, 1927. Unsatisfactory conditions had appeared in some of the banks during the rapid growth of the system in recent years and the administration of the Federal Farm Loan Bureau had not been developed to cope with such conditions adequately. When the Federal Farm Loan Board was reorganized, one joint-stock land bank was in the hands of a receiver and receivers for two other joint-stock land banks, the failures of which were impending, were appointed on July 1 and September 1, 1927. These three receiverships were the first since the establishment of the system and included one of the largest joint-stock land banks. Some of the other banks, both Federal and joint stock, were faced with difficult problems. All of these conditions contributed to impair public confidence. It was the task of the reorganized board not only to prevent other receiverships, if possible, but also to correct unsatisfactory conditions wherever they existed. Necessarily, a very large increase in the expenses of the Federal Farm Loan Bureau has resulted from the endeavors of the Federal Farm Loan Board to bring about as rapidly as possible a restoration of proper conditions in the farm-loan system.

Mr. CRAMTON. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. CRAMTON. Is this a lengthy address on the finance system of the country, generally?

Mr. McFADDEN. No; it is information I felt the membership of the House were entitled to have in connection with this measure. If the gentleman wishes, I will extend my remarks in the RECORD. It is merely an explanation of what the bill provides. I am not particularly anxious to make a speech.

Mr. LA GUARDIA. I am listening very attentively to the gentleman's explanation, as I always do.

Mr. McFADDEN. If the gentleman from Michigan has any objection, I certainly do not want to continue; but I think it is well for the House to have this information.

Officers of many of the banks have expressed informally the feeling that the Congress should provide for the assumption by the United States of the expenses of the Farm Loan Bureau, or at least that only the expenses directly attributable to the examination work of the bureau should be assessed against the banks. An analysis of the expenses of the bureau indicates that the work of the division of examinations consumes nearly 42 per cent of the amounts assessed against the banks.

It has been pointed out that the Federal farm loan act, as stated in its caption, was designed "to provide capital for agri-

cultural development, to create standard forms of investment based upon farm mortgages, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes," and that to a large extent the provisions of the farm loan act were drawn and detailed supervision by the Government was provided for in the interest not only of the prospective individual borrowers but of the welfare of agriculture generally, together with that of the investing public, as well as, incidentally, the protection of the Government itself to the extent that it might have financial relations with the banks.

Consequently it would seem to be reasonable in the public interest to limit the assessments made against the banks under section 3 of the Federal farm loan act to the salaries and expenses of the employees of the Federal Farm Loan Bureau engaged in the work of its division of examinations.

The act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1931, and for other purposes, approved May 15, 1930, includes an appropriation of \$1,020,000 to cover salaries and expenses of the Federal Farm Loan Board for the fiscal year 1931 payable from assessments against the Federal land banks, joint-stock land banks, and Federal intermediate credit banks in accordance with the present law.

It has been estimated by the Federal Farm Loan Bureau that if S. 4028 should be enacted the amount of the appropriation for 1931 to be assessed against the banks would be reduced to approximately \$425,000, leaving about \$595,000 to be assumed by the Government.

Mr. LA GUARDIA. In other words, if this bill is enacted into law, 58 per cent of the operating expenses will be borne by the Treasury and 42 per cent by the banks themselves.

Mr. McFADDEN. The gentleman is correct.

Mr. LA GUARDIA. Was that the original plan?

Mr. McFADDEN. Yes; that is practically the original law. This puts the law back where it was before the act was changed in 1923 and 1925.

Mr. COLLINS. This is in compliance with the original law.

Mr. McFADDEN. Yes.

Mr. STEVENSON. Will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. STEVENSON. As I understand, this merely puts the expense of all the field operations in the service of the land banks on the land banks and leaves the expense of the bureau and the board here in Washington on the Government, whereas at first all that was put on the Government and then all of it was put on the banks, and now we want to equitably apportion it.

Mr. CRAMTON. And there is nothing here with reference to the relation between the land banks and irrigation projects?

Mr. McFADDEN. No.

Mr. LA GUARDIA. And there is nothing here about Federal farm advisers?

Mr. McFADDEN. No; that is extraneous to the purpose of this bill.

The SPEAKER pro tempore (Mr. SNEEL). Is there objection to the present consideration of the bill?

There was no objection.

The clerk read the bill, as follows:

Be it enacted, etc., That the Federal farm loan act, as amended (U. S. C., title 12), be, and it is hereby, amended so that effective as to appropriations for and expenditures of the Federal Farm Loan Board for the fiscal year beginning July 1, 1930, and thereafter, the assessments to be made under section 3 of said act (U. S. C., title 12, ch. 7, sec. 657) by said board against the Federal land banks, joint-stock land banks, and Federal intermediate credit banks shall be the amount of the expenses and salaries of the employees engaged in the work of the division of examinations of the Federal Farm Loan Bureau as estimated by the said board, such expenses and salaries, together with all other expenses and salaries of the said board, to be disbursed on appropriations duly made by the Congress.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

INTERMEDIATE CREDIT BANKS

The next business on the Consent Calendar was the bill (S. 4287) to amend section 202 of Title II of the Federal farm loan act, by providing for loans by Federal intermediate credit banks to financing institutions on bills payable, and by eliminating the requirement that loans, advances, or discounts, shall have a minimum maturity of six months.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think some brief explanation should be made of this bill by some member of the committee before the objection stage is passed.

Mr. McFADDEN. I will say to the gentleman, in explanation of this bill, that when the intermediate credits part of the Federal farm loan act was passed, it was limited in the rediscount of paper to six months. In other words, these intermediate credit banks could not rediscount paper for member banks or for cooperative organizations that had less than six months' maturity. It is found in the operation of the system that this does not properly serve and hence this amendment is suggested.

Mr. STEVENSON. Will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. STEVENSON. In other words, if a cooperative wanted to borrow money to carry cotton or wheat for three months, it could not borrow it from an intermediate credit bank because the limitation was not less than six months, and we are proposing to strike that out.

Mr. STAFFORD. It is primarily to meet that condition, and also, as I see from the report, to make loans and advances direct to these cooperative organizations.

Mr. McFADDEN. Yes.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 202 (a) of Title II of the Federal farm loan act, as amended (U. S. C., title 12, ch. 8, sec. 1031), be amended by substituting a semicolon for the period at the end of paragraph (1) thereof and adding thereafter the following new matter: "and to make loans or advances direct to any such organization, secured by such obligations."

SEC. 2. That section 202 (c) of Title II of the Federal farm loan act, as amended (U. S. C., title 12, ch. 8, sec. 1033), be amended by striking out the words "less than six months nor," so that said section will read as follows:

"Loans, advances, or discounts made under this section shall have a maturity at the time they are made or discounted by the Federal intermediate credit bank of not more than three years. Any Federal intermediate credit bank may in its discretion sell loans or discounts made under this section, with or without its indorsement."

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE PATUXENT RIVER, CALVERT COUNTY, MD.

The next business on the Consent Calendar was the bill (S. 3422) to authorize the Tidewater Toll Properties (Inc.), its legal representatives, and assigns, to construct, maintain, and operate a bridge across the Patuxent River, south of Burch, Calvert County, Md.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. PATTERSON. I object.

The SPEAKER pro tempore. This requires three objections. Only one objection is heard, and the Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the Tidewater Toll Properties (Inc.), a corporation incorporated under the laws of Maryland, its legal representatives and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Patuxent River, at a point suitable to the interests of navigation, at or near Hallowing Point, approximately one-eighth mile south of Burch, Calvert County, Md., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Maryland, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquir-

ing such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Maryland, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The Tidewater Toll Properties (Inc.), its legal representatives and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the Highway Department of the State of Maryland a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and at the request of the Highway Department of the State of Maryland, shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge. For the purpose of such investigation the said Tidewater Toll Properties (Inc.), its legal representatives and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Tidewater Toll Properties (Inc.), its legal representatives and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. All contracts made in connection with the construction of the bridge authorized by this act and which shall involve the expenditure of more than \$5,000 shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the State in which the bridge is located and in the vicinity thereof; sealed bids shall be required, and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway department of the State in which such bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

SEC. 7. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COLLECTION OF ADDITIONAL COTTON STATISTICS

The next business on the Consent Calendar was the bill (S. 2323) authorizing the Director of the Census to collect and publish certain additional cotton statistics.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter in collecting and publishing statistics of cotton on hand in warehouses and other storage establishments, and of cotton known as the "carry-over" in the United States, the Director of the Census is hereby directed to ascertain and publish as a separate item in the report of cotton statistics the number of bales of linters as distinguished from the number of bales of cotton.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AMENDING THE FEDERAL FARM LOAN ACT

The next business on the Consent Calendar was the bill (H. R. 12063) to amend section 16 of the Federal farm loan act.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, there is much more need for an explanation in this case than there was in the former bill. This increases the scope of authority under which these joint-stock land banks may operate.

Mr. McFADDEN. I will say in explanation that you all are aware that the Kansas City Joint Stock Land Bank has been in the hands of a receiver for three years. The stockholders and the Federal Farm Loan Board and the bondholders have been trying to bring about a settlement of this matter. The bill is the direct result of an agreement which has been arrived at between all the interested parties. It is my understanding that an agreement has been consented to by all parties and the bank is about to be reorganized. This bill comes as a direct result of the negotiations which are on. This is what is to happen:

The Joint Stock Land Bank of California is to take over the Kansas City Joint Stock Land Bank on a basis which apparently is agreeable to all the parties concerned. If they take the bank over they want the right to continue its operation in the territory where it has already operated. In addition to that I have been informed that if they succeed in reorganizing and taking over the Kansas City bank it will probably mean the taking over of the other two failed joint-stock land banks now in receivership.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. COCHRAN of Missouri. I have received a number of telegrams in reference to this matter when it was before the committee. Does the gentleman know whether this is satisfactory to Mr. Cross?

Mr. McFADDEN. The gentleman refers, I think, to the Letts bill. This is not that bill.

Mr. CRAMTON. Mr. Speaker, will the gentleman state the situation about the Letts bill? If this bill goes through we forget the Letts bill?

Mr. McFADDEN. For the moment.

Mr. CRAMTON. I would like to have it a very long moment.

Mr. McFADDEN. I think the gentleman can have that assurance.

Mr. LAGUARDIA. Mr. Speaker, we have talked a great deal about these land banks. A great many people in the cities have bought the stock of these banks, perhaps from a high-pressure salesman—that I don't know; but they have purchased the stock under the impression that they were Government banks. I have offered amendments on one or two occasions, to which the gentleman from South Carolina [Mr. STEVENSON] objects, to have printed on the face of every stock certificate the fact that it is not a Government bank. There have been misrepresentations made, and I have quite a file from people in my city who purchased stock in these banks—land banks of the United States Government. The people were under the impression that the Government was back of the stock. Something ought to be said at all times to make it clear that buying this stock is just like buying the stock in any private bank, and that the Government does not guarantee the stock.

Mr. McFADDEN. I agree with what the gentleman has said, but this bill will do more for the Federal farm land banks, and particularly the joint-stock land banks, than anything that Congress could do.

Mr. LAGUARDIA. It should be made clear so that there will not be a campaign of stock selling, that all this bill is to seek to provide the machinery to rehabilitate these banks, but that it does not put a single cent into the banks.

Mr. McFADDEN. The gentleman is correct.

Mr. CRAMTON. As has been suggested it opens the way for the taking over of those banks and their rejuvenation, and in the event that this program is carried out, then no legislation such as the Letts bill is necessary, as I understand it?

Mr. McFADDEN. The thought to which the gentleman refers deals with the method of collecting the double liability of stockholders.

Mr. CRAMTON. Yes; and it would not have to be resorted to if the program is successful that this bill proposes?

Mr. McFADDEN. A modification of that bill, if it was finally passed could be made to meet the objections that the gentleman

refers to. In other words, we could take away the retroactive features. Under this plan of reorganization contemplated here, and the gentleman from Ohio [Mr. FITZGERALD] is familiar with this, the double liability referred to here by stockholders, which has resulted in the introduction and consideration of the Letts bill, has been provided for. In other words, under the reorganization plan those stockholders of the Kansas City Joint Stock Land Bank who have put in their money covering the double liability will have their money returned to them, and the other stockholders who have not put up or paid any will be relieved of the obligation of having to pay.

Mr. CRAMTON. The retroactive feature of the Letts bill would not be necessary if this legislation is successful in accomplishing its object?

Mr. McFADDEN. Yes; that is correct.

Mr. CRAMTON. In view of that, if this goes through I would not anticipate that the gentleman would press the Letts bill for passage at this session.

Mr. McFADDEN. The gentleman is correct.

Mr. OLIVER of Alabama. How will the Federal land banks, which are owned by farmers, be helped by giving authority for a Federal land bank, with the approval of the Farm Loan Board, to buy and take over the business of a joint-stock land bank?

Mr. McFADDEN. This applies particularly to the Kansas City Joint Stock Land Bank, which is now in the hands of a receiver. It has been in the hands of a receiver for three years, and this authority permits another joint-stock land bank to take over and operate this bank and to continue the business in the territory where they are authorized to do business.

Mr. OLIVER of Alabama. There is no reason why there should be any joint interest between the Federal land bank and a joint-stock land bank. They are organized entirely differently, and the stock is held in an entirely different way, and I felt at the time the act was passed that we should never have permitted a joint-stock land bank to be organized.

Mr. McFADDEN. A good many people feel that way, and our experience would seem to indicate that the gentleman is correct.

Mr. OLIVER of Alabama. What good purpose is to be served on the part of the banks owned by the farmers if you give what this bill undertakes to do—full authority for a Federal land bank to take over the business of a failing joint-stock land bank?

Mr. McFADDEN. The gentleman mentions a situation which in all probability never would occur. No one of the Federal land banks would take over bad assets of a joint-stock land bank. They are, however, given that right in the present law to do that for the purpose of liquidating.

Mr. OLIVER of Alabama. The real danger about it is that the real owners of the stock in the Federal land bank would never be consulted, and the language of the gentleman's bill is so broad it seems to me that it might invite some very bad business transactions on the part of those representing the Federal land banks.

Mr. McFADDEN. The language the gentleman refers to is a repetition of the present law. We are not changing that in this instance.

Mr. STEVENSON. The Federal land banks, by act passed years ago, have the right to take over and liquidate any joint-stock land bank.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. Why is it essential to have an existing joint-stock land bank take over for liquidation a defunct joint-stock land bank and increase the authority of the parent bank so that it can operate in more States than two, which was the original provision of the law?

Mr. McFADDEN. These are failed banks, and in order to rehabilitate an institution if another bank sees fit to take over its assets, it should be given the right to continue business in the territory where the failed bank did business. Without that authority it could not do it.

Mr. STAFFORD. Is the determination by the solvent joint-stock land bank that they take over the assets of the defunct bank passed on by the stockholders of the existing solvent bank?

Mr. McFADDEN. In this particular case the stockholders and the bondholders and the Federal Farm Loan Board have all agreed, and on any future acquisition it would have to be the same way.

Mr. STAFFORD. It is difficult for me to appreciate how a bank away out on the coast can find it advantageous to take over the assets of a defunct bank which was attempting to function in Missouri or Wisconsin.

Mr. McFADDEN. To my mind I think it is a very magnanimous thing for them to do.

Mr. STAFFORD. For that reason I become skeptical as to whether it is just to the stockholders of the solvent company to do so.

Mr. McFADDEN. The failure of the Kansas City and Milwaukee banks and others that have failed has seriously impaired the sale of joint-stock land bank bonds. This bill is intended to enable them to reorganize and function properly and improve the bond market. It is necessary that additional loans be made. Undoubtedly it will make a considerable saving in operation.

Mr. FITZGERALD. I would like to ask the chairman of the committee if he does not understand that in order to effect this rehabilitation and the salvage of the Kansas City bank, all stockholders must be wiped out, must surrender and lose their stock in the Kansas City bank, and in addition there must be at least \$10,000,000 paid for at least \$20,000,000 of the Kansas City bank bonds, to be canceled and destroyed, in the attempt to rehabilitate this Kansas City bank?

In reply to what my friend from New York [Mr. LaGuardia] said about the sale of these securities, is not the trouble in the fact that the law itself states that the "purpose of this act is to create standard forms of investment"? Does not the law itself refer to the securities of these joint-stock land banks as "instrumentalities of the Government"? Under the law itself they are now enabled to put in the bonds the statement that they are the instrumentalities of the United States Government, and the Supreme Court of the United States has said in a formal decision that the securities of these banks are "instrumentalities of the Government." That was the reason for much misunderstanding. When bonds and stocks are sold as "instrumentalities of the Government" as "standard forms of investment" created by law, there is apt to be an assumption by the investing public that in some measure the Government is behind the system and will support it, and that the securities are more than ordinarily safe forms of investment.

Mr. STRONG of Kansas. Is the gentleman arguing that the Government should make good on the bonds?

Mr. FITZGERALD. No. I am replying to the gentleman from New York and indicating the provisions of the law itself, which justified the impressions given out to purchasers of joint-stock land bank securities, that in some way the Government was interested and might be expected to support them.

Many innocent people have been deceived to their loss and among the victims seems to be national banks and brokers of integrity and ability.

Mr. LaGuardia. My fear now is that when the old stockholders are wiped out we shall give the new stockholders a chance to lose their money in the belief that they are investing in a Government security.

The SPEAKER pro tempore. Is there objection?

Mr. OLIVER of Alabama. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

CLOSING STREETS IN THE RENO SECTION, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 4243) to provide for the closing of certain streets and alleys in the Reno section of the District of Columbia.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. LaGuardia. I ask unanimous consent, Mr. Speaker, that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The bill will be printed in the RECORD.

The bill reads as follows:

Be it enacted, etc., That upon the acquisition by either the United States or the District of Columbia, or by both, of all the land in the subdivision of Reno lying within the territory bounded by Thirty-eighth Place, Fessenden Street, Howard Street, and the alley running east and west through squares 1762 and 1846 from the east line of Thirty-eighth Place extended to Howard Street, the Commissioners of the District of Columbia be, and they are hereby, authorized to close Emery Place, Vincent Street, Donaldson Place, McPherson Street, and the public alleys, lying within the above-described limits, or any portion or portions thereof: *Provided,* That upon the closing of said streets or alleys, or any part thereof, the title to the land lying within the portion of the streets or alleys so closed shall revert to the District of Columbia.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

STATUS OF RESERVE OFFICERS

The next business on the Consent Calendar was the bill (H. R. 3592) to further amend section 37 of the national defense act of June 4, 1920, as amended by section 2 of the act of September 22, 1922, so as to more clearly define the status of reserve officers not on active duty or on active duty for training only.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, reserving the right to object, can the gentleman give some reasons for the passage of this bill?

Mr. STAFFORD. From my acquaintance with the situation, hundreds or even thousands of reserve officers may withdraw from commission as reserve officers in case this legislation is not passed, so as to permit them, if they happen to be practicing attorneys, to practice before the departments.

I feel obliged to have this bill brought out at the earliest possible moment. I may say to my friend from Mississippi that this bill was introduced away back, a year ago, at the request of the War Department, when the former incumbent was Secretary of War. It was called up in the early part of the year, but no action was taken on it because of a certain minor objection.

Mr. COLLINS. I do not believe in the idea of making civil authorities subservient to the military.

Mr. LaGuardia. This only applies to officers in the reserve and removes the disqualification that now exists and prevents them from practicing before the departments.

Mr. COLLINS. It goes further than that.

Mr. LaGuardia. No. I do not think it does.

Mr. STAFFORD. Under the reserve officers' law the reserve officer is understood to be an officer of the Government. Then there is a law which forbids officers of the Government practicing before the departments. There are many reserve officers that are attorneys at law. Why should reserve officers in an active state be deprived of the privilege of practicing before the departments? It is their bread and butter. If you do not give them relief, it will result in the withdrawal of, perhaps, 111,000 reserve officers who are now in the Reserve Officers' Corps of the United States Army.

Mr. COLLINS. Some of them ought to be dropped. The War Department recognizes this fact and have divided them into active and nonactive officers instead of dropping them as they should do. They are placed in a nonactive status. A large number of these officers could not and would not be used in case of war, and certainly these are useless and there is no justification for keeping them on the rolls as reserve officers. About 40 per cent of the reserve officers are in the noncombat units. There are too many of this class.

Mr. CRAMTON. I do not think that is the way to get rid of them.

Mr. COLLINS. The departments are honeycombed with reserve officers. They are even in the Bureau of the Budget.

Mr. CRAMTON. This is a bill which was introduced by my colleague from Michigan [Mr. James], who is ill and unable to be here. I have had some contact with him as it relates to the reserve officers of my State, who, at the present time, under a recent construction of the law, are prevented from handling cases before the departments. They are lawyers. This bill is to prevent doing that very thing.

Mr. COLLINS. No. This bill reads:

Reserve officers while not on active duty shall not, by reason solely of their appointments, oaths, commissions, or status as reserve officers, or any duties or functions performed or pay or allowances received as reserve officers, be held or deemed to be officers or employees of the United States, or persons holding any office of trust or profit or discharging any official function under or in connection with any department of the Government of the United States.

Which is far beyond what the gentleman contends.

Mr. LaGuardia. If the gentleman can cite any one instance other than the example given by the gentleman from Wisconsin and the gentleman from Michigan—

Mr. COLLINS. I want the bill to go over so that I can study it more carefully and find out if there is any good excuse for its enactment.

Mr. LaGuardia. Here is a letter from the Attorney General to Senator Brookhart with reference to a lawyer in his State, and it refers to this qualification referred to by the gentleman from Wisconsin. It would bar those men who happened to be lawyers on the reserve list from practicing before the department. It was never intended to do that.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. WAINWRIGHT. The gentleman always tries to be fair. Does it seem fair to the gentleman that a proportion of the 100,000 officers who happen to be lawyers and who are rendering this patriotic service to the Government without compensation should be handicapped in this way? Is there any public reason why they should be?

Mr. COLLINS. I think there are many reasons why the bill should not be passed.

Mr. LAGUARDIA. But this bill has nothing to do with that.

Mr. STAFFORD. The phraseology of this bill could not be construed in the manner in which the gentleman from Mississippi has construed it.

Mr. SPEAKS. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. SPEAKS. Let us take the cases of thousands of men throughout the United States as they are affected by existing law. Being of military age and liable for service in time of emergency they accept commissions in the Reserve Corps, undergo training, and through a systematic course of study and practice prepare themselves to properly perform their duties when called upon for national defense purposes. They comprise business men, professional men, experts, and skilled workmen in various lines. But under the law as it now stands they are barred from transacting business with any governmental department and thus deprived of a right accorded all other citizens other than members of the regular service establishments. The law was never intended to operate in this manner, and the bill under consideration is intended to correct the discrimination against reserve officers. I hope the gentleman from Mississippi will withdraw his objection and permit the bill to be passed at this time.

Mr. LAGUARDIA. I hope the gentleman will not object. The gentleman knows I will go a long way with him in stopping some of these military bills.

Mr. COLLINS. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 37 of the national defense act of June 4, 1920, as amended by section 2 of the act of September 22, 1922 (42 Stat. 1033; sec. 356, title 10, U. S. C.), be, and the same is hereby, amended by adding thereto another sentence as follows: "Reserve officers while not on active duty, or while on active duty for instruction or training only, shall not, by reason solely of their appointments, oaths, commissions, or status as reserve officers, or any duties or functions performed or pay or allowances received as reserve officers, be held or deemed to be officers or employees of the United States, or persons holding any office of trust or profit or discharging any official function under or in connection with any department of the Government of the United States."

With the following committee amendments:

Page 1, line 5, strike out "Section 356" and insert "Sections 351, 352, 353, 356, and 360."

Page 2, line 2, after the word "duty," strike out the comma and the words "while on active duty for instruction or training only."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FEDERAL FARM LOAN ACT

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to return to Calendar 707 (H. R. 12063), to amend section 16 of the Federal farm loan act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 16 of the Federal farm loan act, as amended (U. S. C., title 12, ch. 7, secs. 811-823), be amended by substituting in the eighth paragraph thereof (U. S. C., title 12, ch. 7, sec. 818) a comma for the period at the end of the first sentence and adding the following new matter: "except as hereinafter provided."

Sec. 2. That section 16 of the Federal farm loan act, as amended, be further amended by inserting after the last paragraph thereof (U. S. C., title 12, ch. 7, sec. 823) the following new paragraph:

"Any joint-stock land bank which, in accordance with the preceding paragraph, acquires the assets and assumes the liabilities of another

joint-stock land bank may, if authorized by the Federal Farm Loan Board, make loans secured by first mortgages on farm lands within the States in which the other joint-stock land bank was authorized to make loans at the time of its liquidation."

With the following committee amendment:

Page 2, strike out all of lines 1 to 7, inclusive, and insert the following:

"In any case where a joint-stock land bank has been, or may be, within a period of seven months after the date of the passage of this act, declared insolvent and placed in the hands of a receiver by the Federal Farm Loan Board, any Federal land bank or joint-stock land bank may, in the manner as may be prescribed by the Federal Farm Loan Board and with the approval of the Federal Farm Loan Board, acquire the assets and assume the liabilities of said joint-stock land bank in the hands of a receiver. Any joint-stock land bank which has acquired or may hereafter acquire the assets and which has assumed or may hereafter assume the liabilities of another joint-stock land bank may, if authorized by the Federal Farm Loan Board, make loans secured by first mortgages on farm lands within the States in which the other joint-stock land bank was authorized to make loans at the time of such acquisition, and the purchasing bank may, with the approval of the Federal Farm Loan Board, continue to make loans in the States where it was authorized to make loans at the time of such acquisition."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ADDRESS OF REPRESENTATIVE GREEN OF FLORIDA

Mr. LARSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech of my colleague Mr. GREEN, of Florida, on the 4-H Club of America.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LARSEN. Mr. Speaker, under permission to extend my remarks I herewith include a speech made last night by my distinguished colleague from Florida, Congressman R. A. GREEN. It is a splendid tribute to the work which is being accomplished by the 4-H boys' and girls' clubs of America.

The speech is as follows:

TRIBUTE TO THE 4-H BOYS' AND GIRLS' CLUB OF AMERICA

Mr. Chairman, State directors, and members of the 4-H Clubs, it gives me much pleasure to meet with you this evening and give my approval to the great work which is being accomplished through your united and intelligent effort.

Your visit to the Nation's Capital and the special training and instruction received by you here by our Agricultural Department experts and officials will give you a better understanding and good information concerning the problems which face the agriculturalists of our Nation to-day. You young ladies and young gentlemen are representative of the highest attainment in the 4-H Club work of each of the 40 States of the Union here represented. Champions, as you are, of your respective States, you will best be able to attain the information and general knowledge which can and will be so well carried by you back to your respective States and clubs. Through your efforts the acre production of your respective localities has been in many cases doubled, trebled, and even in some instances multiplied by four or five. Great is your influence upon the future production, preparation, and marketing of American agricultural products.

I am glad that my State, Florida, has its representatives here in the persons of Miss Mary Efta Bradley, of Leon County, Miss Gilda Yates, of Orange County, Mr. Hugh Dukes, of Union County, and Mr. Wilson Roberts, of Holmes County. They are Florida's champions.

During the pioneer days in the development of American agriculture when diseases, insect pests, or depletion of the soil dwindled the production of crops, then the American farmers would move to new land and virgin soil. But to-day, we find a large percentage of America's best agricultural soils utilized to production, and instead of the farmers and growers moving away from their adversities, they are, through scientific methods and intelligent application, meeting and conquering the insect pests and other adversities.

We are living in a highly developed mechanical and industrial age. Machinery is in America rapidly supplanting the labor of man. This is true also in the agricultural life of our country. Improved methods of planting, cultivating, gathering, curing, and processing have in many cases almost supplanted the manual labor of the farmers. In the case of wheat, oats, and even other of our great American crops, the commodity is scarcely touched by the hand of man from the time the seeds go into the planter until the finished product is ready for use. Almost every step is accomplished by machinery, the result of the invention and skill of the age.

To-day we find America leading in the production of many of the great agricultural commodities. I am glad to see America eating from

her own wheat fields; eating the meat products of her own farms, prairies and plains; smoking from her own tobacco fields; wearing cotton and woolen clothing produced from the raw products within her own confines; and, in fact, producing here in America almost every necessity and luxury which is used by the American people. I do not share the view of many that the entire world is in danger of the overproduction of agricultural products. Why, even during the present year some 2,000,000 people have perished in China alone for the want of food. Throughout the world we find disseminated sections where agricultural products are not produced, and which are dependent upon the other parts of the world for their daily bread. Frankly, I believe that there will always be found in the world a hungry mouth for every grain of wheat; feet to wear shoes from all hides we are able to produce; and backs to wear the cotton and woolen goods which may be grown and manufactured in America.

The problem of to-day and of to-morrow is that of proper and economical distribution of our various agricultural products. America does not produce too many peaches, too many oranges, too many eggs, fresh vegetables, and other products for the use of even our own American people; but the problem is the distribution of these products to all of our people every day in the year at a price within the range of their purchasing power.

The technical instruction and skilled training which you 4-H Club members are receiving through our splendid Department of Agriculture will best enable you to meet the future problems of production, distribution, and utilization. I commend the great work which you are doing and the service which is rendered to the American people through the able leadership of your instructors and directors. Through your dominant leaders, vast fields of wheat, oats, and rye will continue to nod their heads to the morning sun; corn will grow luxuriantly and confine the August sun within its sheath; tobacco will grow on the hillsides and in the valleys for the contentment of world consumers; cotton fields throughout our southland will continue to grow as white as snow on the hillsides; nut trees of all kinds will continue to shake from their delicate branches brown fruits with the approaching of the autumnal season; the production of sugarcane and sugar beets will increase until Americans will eat from their own sugar bowl; the orchards and groves will continue to yield an abundance of luscious fruits and the production of vegetables will ever increase.

My friends, I wish you well in the shaping of America's future agricultural life.

WIDENING WISCONSIN AVENUE, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 3895) to authorize the Commissioners of the District of Columbia to widen Wisconsin Avenue abutting squares 1299, 1300, and 1935.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills and joint resolution of the House of the following titles:

- H. R. 478. An act for the relief of Marijune Cron;
- H. R. 524. An act for the relief of the I. B. Krinsky Estate (Inc.) and the Fidelity & Deposit Co. of Maryland;
- H. R. 910. An act for the relief of William H. Johns;
- H. R. 1092. An act for the relief of C. F. Beach;
- H. R. 1964. An act for the relief of S. A. Jones;
- H. R. 2075. An act for the relief of Addie Belle Smith;
- H. R. 2465. An act for the relief of Earl D. Barkly;
- H. R. 2849. An act for the relief of the Lowell Oakland Co.;
- H. R. 2983. An act for the relief of Samuel F. Tait;
- H. R. 3422. An act for the relief of Gustav J. Braun;
- H. R. 6117. An act for the relief of the Central of Georgia Railway Co.;
- H. R. 6665. An act for the relief of B. C. Glover;
- H. R. 7661. An act for the relief of Margaret Stepp Bown;
- H. R. 7926. An act to provide for terms of the United States District Court for the Eastern District of Pennsylvania to be held at Easton, Pa.;
- H. R. 9227. An act to establish additional salary grades for mechanics' helpers in the motor-vehicle service;
- H. R. 9628. An act granting the consent of Congress to the State of Arkansas, through its State highway department, to construct, maintain, and operate a free highway bridge across St. Francis River at or near Lake City, Ark., on State Highway No. 18;

H. R. 9989. An act granting the consent of Congress to the State of Minnesota, Le Sueur County, and Sibley County, in the State of Minnesota, to construct, maintain, and operate a bridge across the Minnesota River at or near Henderson, Minn.;

H. R. 10657. An act to amend section 26 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended;

H. R. 11051. An act to amend section 60 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900;

H. R. 11978. An act to authorize the appointment of employees in the executive branch of the Government and the District of Columbia; and

H. J. Res. 367. Joint resolution to amend the act entitled "An act to create in the Treasury Department a bureau of narcotics, and for other purposes," approved June 14, 1930.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 11781) entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON, Mr. JONES, Mr. McNARY, Mr. FLETCHER, and Mr. RANSDELL to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10919) entitled "An act for the relief of certain officers and employees of the Foreign Service of the United States, and of Elise Steinger, housekeeper for Consul R. A. Wallace Treat at the Smyrna consulate, who, while in the course of their respective duties, suffered losses of Government funds and/or personal property by reason of theft, warlike conditions, catastrophes of nature, shipwreck, or other causes."

The message also announced that the Senate agrees to the report of the committee of conference in the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11781) entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes."

JULY 5, 1930, LEGAL HOLIDAY

The next business on the Consent Calendar was the resolution (S. J. Res. 184) to declare July 5, 1930, a legal holiday in the District of Columbia.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. COLLINS. Mr. Speaker, I object.

TRANSFERRING JURISDICTION OVER PROPERTY TO DIRECTOR OF PUBLIC BUILDINGS AND PUBLIC PARKS, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 4358) to authorize transfer of funds from the general revenues of the District of Columbia to the revenues of the water department of said District, and to provide for transfer of jurisdiction over certain property to the Director of Public Buildings and Public Parks.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to transfer \$20,729.90 from the general revenues of the District of Columbia to the credit of the revenues of the water department of said District, said amount being the sum paid from the revenues of the water department for the acquisition of parcel 72/1, containing 9.013 acres; and the said commissioners are further authorized and directed to transfer said parcel 72/1 to the jurisdiction of the Director of Public Buildings and Public Parks as a part of the park system of the District of Columbia.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GENERAL EXPENSES OF THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 9408) to amend the act of March 3, 1917, an act making appropriations for the general expenses of the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I would like to ask who is going to pay the expense of making this connection? The report of the Budget was conditioned on

the expense being paid by the Washington Suburban Sanitary Commission, but the bill does not so state.

Mr. ZIEHLMAN. I have no objection to the gentleman offering an amendment of that kind.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of March 3, 1917, making appropriations for the general expenses of the District of Columbia, and wherein appropriations are made for the water department, that paragraph 6 be amended to read as follows: "For the protection of the health of the residents of the District of Columbia and the employees of the United States Government residing in Maryland near the District of Columbia boundary the Commissioners of the District of Columbia, upon the request of the Washington Suburban Sanitary Commission, a body corporate, established by chapter 313 of the acts of 1916 of the State of Maryland, or upon the request of its legally appointed successor, are hereby authorized to deliver water from the water-supply system of the District of Columbia to said Washington Suburban Sanitary Commission or its successor, for distribution to territory in Maryland within the Washington suburban sanitary district as designated in the aforesaid act, and to connect District of Columbia water mains with water mains in the State of Maryland at the following points, namely, in the vicinity of Chevy Chase Circle, in the vicinity of the intersection of Georgia and Eastern Avenues, in the vicinity of the intersection of Rhode Island and Eastern Avenues, in the vicinity of the intersection of the Anacostia Road and Eastern Avenue, and in the vicinity of Forty-ninth and Chesapeake Streets NW., under the conditions hereinafter named."

With the following committee amendment:

Page 2, line 16, strike out the words "Forty-ninth and Chesapeake" and insert "Forty-seventh and Fessenden."

The committee amendment was agreed to.

Mr. CRAMTON. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: At the end of the bill insert: "Provided, That all expense of making the connection shall be borne by the Washington Suburban Sanitary Commission."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS

Mr. SNELL. Mr. Speaker, under the general rules of the House it is provided that suspensions shall be in order during the last six days of a session. Several times when it has been uncertain as to when the last six days would commence we have brought in a special order from the Committee on Rules making it in order to consider suspensions during the last six days or what we thought would be the last six days. It is not certain when we will adjourn, but we think adjournment must come some time during the next week, not later than Tuesday or Wednesday. I want to prefer a unanimous consent request that beginning with Friday of this week it will be in order for the Speaker to recognize for suspensions for the remainder of this session, under the general rules, as is provided in the rules during the last six days of a session.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, in private conversation with the gentleman from New York I understood him to say that in case he could not get this consent he would bring in a rule to make this in order?

Mr. SNELL. Yes. We think it rather necessary and we think this should be done in order to clean up our business and be ready to adjourn without delay when the time comes.

Mr. GARNER. I do not know that there could be any valid reason given for opposing a rule of that kind. I realize that if this side of the House gives consent for the suspension of the rules, it will do so with the knowledge that legislation will be considered, but I have the assurance of the Speaker, if I may say so, that no matters will be brought up unless they are matters which the Speaker believes to be in the interest of general legislation, rather than any political matters. With that understanding, I am not going to object to the request of the gentleman from New York.

Mr. SNELL. I can say to the gentleman from Texas that at the present time I do not know what matters will be brought up, and I do not have anything definite in mind, but I think suspensions should be in order so that the regular business of the House may be proceeded with in a logical and normal way.

For that reason I think we should have this order made at this time.

Mr. GARNER. When does the gentleman anticipate adjournment?

Mr. SNELL. As quickly as possible.

Mr. GARNER. By next Tuesday or Wednesday?

Mr. SNELL. I am not going to make a definite statement, but I think surely by that time.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. CHINDBLOM. Personally, I hope adjournment will come no later than Monday. It is the last day of the month and the Fourth of July comes soon thereafter. I think the Members are very anxious to get away so they may be home by the Fourth of July.

Mr. SNELL. I will certainly cooperate to that end in every way I can.

Mr. CHINDBLOM. I want to suggest that the gentleman make his request for not to exceed six days.

Mr. SNELL. I do not believe we should change the request made at present.

Mr. GARNER. Let me ask the gentleman whether he expects to have an evening session, or something of that kind, for the purpose of considering the Private Calendar? There are about 300 or 400 bills on that calendar.

Mr. SNELL. We have talked about that right along and I think probably we can. The gentleman from Connecticut has spoken about it and I think he is going to make that arrangement.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CONFERENCE REPORT—RIVERS AND HARBORS BILL

Mr. DEMPSEY. Mr. Speaker, I present a conference report on the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (H. R. 11781), having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, and 105; and agree to the same.

S. WALLACE DEMPSEY,

NATHAN L. STRONG,

J. J. MANSFIELD,

Managers on the part of the House.

HIRAM W. JOHNSON,

W. L. JONES,

CHAS. L. McNARY,

JOS. E. RANSDALL,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, submit the following written statement explaining the effect of the action agreed upon:

The river and harbor bill as it passed the House authorized new work the total estimated cost of which was \$116,285,027.75. The amount added by amendment in the Senate was \$28,596,875, as follows:

SENATE AMENDMENTS TO H. R. 11781 INVOLVING NEW AUTHORIZATIONS FOR RIVER AND HARBOR WORK	
New Bedford Harbor, Mass. (additional authorization)-----	\$318, 000
Taunton River, Mass. (new report)-----	780, 000
Connecticut River, Conn.-----	1, 000, 000
Newtown Creek, N. Y. (new report)-----	269, 500
Bay Ridge and Red Hook Channels, New York Harbor, N. Y. (new report)-----	1, 150, 000
East Chester Creek, N. Y. (new report)-----	283, 000
Schuylkill River, Pa. (new report)-----	1, 300, 000
Inland waterway from Delaware River to Chesapeake Bay, Del. and Md. (two new reports)-----	35, 500

Claiborne Harbor, Md. (new report).....	\$12, 125
Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C. (additional authorization).....	100, 000
James River, Va. (additional authorization).....	1, 000, 000
Cape Fear River, N. C., above and below Wilmington (new report).....	796, 750
Far Creek, N. C. (additional authorization).....	10, 000
Brunswick Harbor, Ga. (additional authorization).....	816, 000
Intracoastal waterway from Jacksonville, Fla., to Miami (modification of existing project; no added cost).	
Miami Harbor, Fla. (amends House provision so as to adopt complete recommendation in report; no added cost).	
Caloosahatchee and Lake Okeechobee drainage area, Florida (additional authorization).....	2, 546, 000
Intracoastal waterway from Pensacola Bay to Mobile Bay, Ala. and Fla. (additional authorization).....	500, 000
Cedar Bayou, Tex. (new report).....	25, 000
Mississippi River from Illinois River to Minneapolis (additional authorization).....	4, 442, 000
Missouri River, Kansas City to Sioux City (additional authorization).....	10, 200, 000
Tennessee River (additional authorization).....	1, 500, 000
San Diego Harbor, Calif. (additional authorization).....	246, 000
Oakland Harbor, Calif. (new report).....	197, 000
Noyo River, Calif. (new report).....	180, 000
Willamette River between Oregon City and Portland, Oreg. (new report).....	160, 000
Columbia and Lower Willamette Rivers, Oreg. and Wash. (additional authorization).....	500, 000
Everett Harbor, Wash. (new report).....	142, 000
Lake River, Wash. (new report).....	3, 000
Seward Harbor, Alaska (new report).....	85, 000
Total.....	28, 596, 875

The Senate made 44 amendments to section 1 of the bill, which authorizes new improvement work. These amendments covered additions to authorizations made by the House and the adoption of new reports received since the Committee on Rivers and Harbors closed its consideration of the bill. All of these additions were recommended by the War Department in official reports.

The remaining amendments relate to survey items and verbal amendments to House items, on all of which the House conferees receded.

S. WALLACE DEMPSEY,
NATHAN L. STRONG,
J. J. MANSFIELD,

Managers on the part of the House.

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question.

Mr. STAFFORD. Mr. Speaker, I am interested in two Senate amendments, Senate amendment No. 32, particularly, providing for the Chicago drainage canal. Was any change made in that amendment?

Mr. DEMPSEY. No change was made in that amendment.

Mr. STAFFORD. Also in amendment No. 9, the Erie & Oswego Canal; was any change made in that amendment?

Mr. DEMPSEY. That was left exactly as it was.

Mr. STAFFORD. As the Senate proposed it?

Mr. DEMPSEY. Yes.

Mr. LAGUARDIA. I would like to ask the gentleman a question. Is there in the bill any Senate amendment providing for the promotion or retirement of any Army officer?

Mr. DEMPSEY. None whatever.

Mr. ANDRESEN. Reserving the right to object, I would like to ask the gentleman a question. As the gentleman knows, the people of the Northwest are very much interested in the 9-foot channel in the upper Mississippi River. Did the House conferees agree to that?

Mr. DEMPSEY. They did.

Mr. DALLINGER. Will the gentleman yield?

Mr. DEMPSEY. I yield.

Mr. DALLINGER. Is there any provision in the bill or any Senate amendment in regard to diversion of water from the Connecticut River?

Mr. DEMPSEY. There is not.

Mr. STAFFORD. Can the gentleman state whether there has been any material change in the Senate amendments?

Mr. DEMPSEY. The Senate amendments were accepted as the Senate passed them.

Mr. STAFFORD. As I am acquainted with the Senate amendments, I have no further questions.

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object, the gentleman will recall the little colloquy we had this afternoon about the provisions of Senate amendment 32 with reference to the Illinois waterway, particularly in regard to the making of a survey of the amount of water that will be required as an annual average flow to meet the needs of a commercially useful waterway. At that time the gentleman suggested he thought perhaps the making of that survey could be handled under the general law which provides for the

making of surveys by direction of the Committee on Rivers and Harbors of the House or the Commerce Committee of the Senate. Does not the gentleman think this survey is a special survey that may not come under that authority?

Mr. DEMPSEY. I think the engineers would recognize the fact they had two orders for surveys, one the order in this bill and the other the order which we would give them by resolution. I think they would recognize them both as being valid and would act under the second one as well as under the first one.

Mr. CHINDBLOM. I will say to the gentleman that under ordinary conditions, speaking for myself personally, I would be disposed to make some objection to this conference report. I think the Senate went far out of its way to throw obstacles in the way of securing the Illinois waterway because that project is hedged about with so many provisions that are dependent upon action in the future; and as I said this morning, the provision here making effective as to navigation the decree of the Supreme Court in a suit which was based entirely upon questions of sanitation was not only unnecessary but harmful. The people of the Middle West want this waterway and the Nation should want this waterway. [Applause].

Mr. DEMPSEY. The purpose of that provision, if the gentleman will permit me to say so, was one which was intended to be helpful to the waterway. There was some question in the minds of the representatives of Illinois whether they would have the right to use the water for navigation, and that provision was put in to clear up any possible doubt as to the right of the use of that water for navigation purposes. It was intended for the benefit of the waterway and not to hamper or shackle it.

Mr. CHINDBLOM. I am directing my remarks particularly to the time for making the survey, and I hope the construction of the state of the law, so clearly stated by the gentleman from New York, will have advocates in the future, so that it will not be necessary to wait for every sort of investigation of this question until the waterway has been entirely completed.

Mr. CRAMTON. Mr. Speaker, will the gentleman from New York yield?

Mr. DEMPSEY. I yield to the gentleman from Michigan.

Mr. CRAMTON. I heard something of what the gentleman said about the way that such a survey would be secured and the gentleman said something about "We can do so and so." Did the gentleman refer to the Committee on Rivers and Harbors or to the Congress?

Mr. DEMPSEY. I referred to the Committee on Rivers and Harbors. The Committee on Rivers and Harbors of the House and the Committee on Commerce of the Senate are given authority by law to order surveys where there has been any work done upon a waterway, particularly where the waterway has been adopted; and this project will have been adopted when this bill becomes law, and we would have the right the next day, by resolution, to ask for a further survey.

Mr. CRAMTON. My thought is this: This is a matter that has been highly controversial for a long time, and recently has been under thorough discussion in the Senate. As a result the Senate adopted the language that is found here. As I understand the conferees have reported recommending to the House the acceptance of that Senate amendment.

Now, to-day, we are asked to take the unusual procedure of accepting the conference report without its being printed and lying over. My thought that I am leading up to is that I am hoping the gentleman from Illinois [Mr. CHINDBLOM] and the gentleman from New York [Mr. DEMPSEY] will not attempt a construction of what this language means that might be held hereafter to have any binding force.

I think if we are going to give unanimous consent to the immediate acceptance of the report we ought not to be handicapped by any offhand construction by the gentleman from New York.

Mr. CHALMERS. May I say a word? I understand that this amendment of the Senate to this bill that is before us now does not require any diversion of water from Lake Michigan in order to put into operation the commercial waterway of the Illinois River. You will find if you read the hearings that the Acting Chief of Engineers was before our committee and said that there was water enough naturally furnished by the rivers in Illinois to operate this waterway with an appropriation of seven and a half million dollars, without taking any water from the Great Lakes.

Mr. CRAMTON. My suggestion is that this is not a time for the gentleman from New York to give forth any binding construction of that language, but, rather, let the language stand for itself.

Mr. DEMPSEY. I am not doing so. The gentleman misunderstands the colloquy between the gentleman from New

York and the gentleman from Illinois. My colloquy was simply this: The Senate amendment for the survey by the engineers is to determine what amount of water is necessary for navigation of the Illinois River with a 9-foot channel—

Mr. CRAMTON. It does not use the word "survey," but the word "study." The difference in words may be significant.

Mr. DEMPSEY. That is not involved in this question. The gentleman from Illinois' suggestion with reference to this condition of affairs was this: There are 6,500 feet of water going down the Illinois River—that was the decision of the Supreme Court—until 1935, and after that 5,000 feet until 1939. After the 1st of January, 1939, 1,500 plus the pumpage, making a total in 1939 as it is now estimated of 3,200 feet. However, the pumpage has increased 100 feet per year for the last five years, and at the same rate for eight years we would have an additional 800 feet, which would make 4,000 feet.

The Illinois waterway will be completed probably by 1935. What it is intended for these engineers to do, as I understand it—and this is my individual opinion—is in the operation of that waterway to ascertain how much water is needed for the navigation and commercial use with a 9-foot waterway, with the smallest flow which can make it useful.

Mr. CRAMTON. That is, after the waterway is completed?

Mr. DEMPSEY. Here is what the gentleman from Illinois [Mr. CHINDBLOM] suggests, and it is not a controversial question at all. He suggested that the engineers should report before the time fixed in this amendment, that is before the 31st of January, 1938, because otherwise there will be only one year before there is a drop from 5,000 feet to 1,500 feet. He says that that might not be time for the Congress to act. All I have said to him is this. I have not attempted to construe this act, I have not attempted to give any word or line or any part of it any particular meaning, but I have said to him that the Committee on Rivers and Harbors, under the law, have the right the instant this becomes a law to pass a resolution asking the Chief of Engineers to make that report at an earlier date, and I have said to him that I can see no harm in doing that, and I think that much good might come from its being done.

Mr. CRAMTON. And still the amendment the gentleman is just reporting to the House provides that the study shall not be made until after the waterway is completed.

Mr. DEMPSEY. Yes.

Mr. CRAMTON. Then the report may be made on or before January, 1938.

Mr. DEMPSEY. And all the gentleman from Illinois says is "We would like that hurried up a little bit, after the waterway is completed, if you could do it."

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. CHINDBLOM. In addition to the question of the time for the survey, it should be clear to any one stopping to contemplate the matter for a moment, that by the lack of water, and by the resulting lack of usefulness of this waterway, it can be shown that it is a perfect waste of energy and funds to do anything in regard to the waterway. The waterway can not demonstrate its usefulness and value unless there is water available in it to carry the commerce that is ready to float upon it.

Mr. CRAMTON. If the Committee on Rivers and Harbors unanimously accepts this language, as I am advised they do, I am unable to understand how it could be said that the first day after this becomes a law they might order a study which this law shall say shall not be ordered until after the waterway is completed.

Mr. DEMPSEY. I do not think the gentleman states quite accurately what the chairman of the committee said. I do not mean that the gentleman intentionally misstates it.

Mr. CRAMTON. I understood the gentleman to say the committee might on the next day after this becomes a law order such a study.

Mr. DEMPSEY. All the chairman said was this, that we have general authority to order surveys through committee resolution where there is an adopted project.

Mr. CRAMTON. The gentleman does not anticipate that will be done in this case?

Mr. DEMPSEY. The gentleman is not anticipating one way or the other.

Mr. CHALMERS. Mr. Speaker, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. CHALMERS. As far as I am concerned, as a member of the committee, I want to register my protest against any understanding or agreement that may be referred to afterwards, as understood here to-day, about any amount of pumpage or any diversion of water beyond that allowed by the decree of the Supreme Court.

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield to me?

Mr. DEMPSEY. Yes.

Mr. MANSFIELD. And I make the suggestion that the Committee on Rivers and Harbors can not pass any resolution that is in violation of law.

Mr. CRAMTON. Mr. Speaker, we are asked to accept an amendment that definitely provides that this study shall be ordered after the waterway is completed. It makes some difference, possibly, whether that study is made before or after the waterway is completed. This amendment that we are now approving—and it has already been unanimously approved by the Rivers and Harbors Committee—provides that the study shall be made after the waterway is completed. Still, the chairman of the committee of this conference report refuses to say whether the Committee on Rivers and Harbors will attempt to exercise a general authority to order this study before the waterway is completed.

Mr. DEMPSEY. Oh, no; if the gentleman will permit, he can readily see it would not be practicable.

Mr. CRAMTON. Will the gentleman answer this question?

Mr. DEMPSEY. Let me finish my sentence—it would not be practical to even begin the study until you have your waterway completed.

Mr. CRAMTON. Then it is the gentleman's expectation that this study will not be made until after the waterway is completed?

Mr. DEMPSEY. It is not only his expectation, but he sees no way in which it can be studied until after it is completed.

Mr. CRAMTON. I thank the gentleman.

Mr. DEMPSEY. Mr. Speaker, the Senate amendments, as adopted, will result in the addition of \$28,596,875 in authorizations to the expenditures authorized by the House. The bill, as it left the House, authorized expenditures to the amount of \$110,535,027.75. With the Senate amendments adopted the bill will call for an aggregate expenditure of \$138,141,902.75.

I have had a list of these increased cash expenditure authorizations made and will annex it to the statement I am now making.

In a general way the additional amounts authorized consist of the adoption of projects reported favorably by the engineers in precisely the terms recommended by them, and at costs specified in the reports. The Committee on Rivers and Harbors, after a careful investigation into a considerable number of projects, approved by the engineers, concluded that, for the time being, something less than the work recommended would meet the needs of commerce, and this resulted in reductions of the expenditures recommended.

Another way in which the cash expenditure authorizations were increased by the Senate was by their dispensing with local contributions where they were required in the House bill.

A third way in which the Senate increased the cash authorizations was by their adding to sums recommended by the engineers and adopted by the House.

And last of all, 15 or 16 additional reports by the engineers were received by the Senate committee, after passage of the House bill.

The largest variations in amounts are for the upper Mississippi River, where the House bill authorized \$3,058,000 and the Senate amendment will carry \$7,500,000;

On the Missouri River, between Kansas City, Mo., and Sioux City, Iowa, where the House bill carried \$4,800,000, and the Senate bill \$15,000,000; and

On the Tennessee River, with an authorization of \$3,500,000 in the House bill, and of \$5,000,000 in the Senate bill.

Another large change is on the Caloosahatchee and Lake Okeechobee project in Florida, where the local contribution is cut from \$4,546,000 to \$2,000,000. Similarly, the local contribution required in the House bill of \$100,000 for the construction of a guard lock in the Chesapeake and Albemarle Canal, was stricken out by the Senate.

In the following cases the House committee reduced the amount of the work recommended by the engineers, and correspondingly the amounts to be expended, and the Senate amendments adopted the full project as recommended by the engineers, namely:

New Bedford Harbor, Mass. (H. Doc. 348-71-2).....	\$318, 000
James River, Va.....	1, 000, 000
Brunswick Harbor, Ga. (S. Doc. 132-71-2).....	816, 000
Intracoastal waterway from Jacksonville, Fla., to Miami, (S. Doc. 71-71-2), no added cost.	
Tampa Harbor, Fla. (H. Doc. 100-70-1), change in phraseology.	
Intracoastal waterway from Pensacola Bay to Mobile Bay, Ala.....	500, 000
San Diego Harbor, Calif. (S. Doc. 81-71-2).....	246, 000
Columbia and lower Willamette Rivers, Oreg. and Wash. (H. Doc. 195-70-1).....	500, 000
Seward Harbor, Alaska (H. Doc. 109-70-1).....	85, 000

The following are the projects which came in after the House bill was passed, with the approval of the engineers, all of which are embodied in the Senate bill, viz:

Taunton River, Mass. (H. Doc. 403)-----	\$780,000
Connecticut River, above Hartford, Conn.-----	1,000,000
East Chester Creek, N. Y. (Com. Doc. 37)-----	283,000
Chalborne Harbor, Md. (S. Doc. 157)-----	12,125
Cape Fear River, N. C., above and below Wilmington (Com. Doc. 39)-----	796,750
Cedar Bayou, Tex. (S. Doc. 107)-----	25,000
Willamette River between Oregon City and Portland, Oreg. (H. Doc. 372)-----	160,000
Everett Harbor, Wash. (H. Doc. 377)-----	142,000
Lake River, Wash. (Com. Doc. 2, and favorable report of May 10, 1930)-----	3,000
Newtown Creek, N. Y. (Com. Doc. 42)-----	269,500
Schuylkill River (Com. Doc. 40)-----	1,300,000
Inland waterway from Delaware River to Chesapeake Bay (S. Doc. 171 and Com. Doc. 41)-----	35,500
Oakland Harbor, Calif. (Com. Doc. 43)-----	197,000
Bay Ridge and Red Hook Channels, N. Y. (Com. Doc. 44)-----	1,150,000

In addition to authorizing additional expenditures the bill also adopts certain projects which, in the course of 10 years, will, to the extent of their cost, be charges on the Treasury. The only two cases of any importance are the upper Mississippi, where the 6-foot project is modified to provide for a depth of 9 feet. This project will, in the course of the time it will take to complete it, cost in the aggregate \$98,000,000. It is to be borne in mind, however, that an expenditure of only \$7,500,000 is authorized, and that it will be many years before the project will be completed, and that the expenditure will be spread over this long period. It has been freely charged that there is no recommendation of the engineers for this project. This is not quite true. A very distinguished survey board, consisting of four engineers, made the survey of this project, and made a most painstaking and detailed report, covering 43 printed pages, reaching the conclusion that \$50,000,000 of the work be authorized at once, but that the remaining work should be further studied, as it might result in a decrease in the estimated cost (H. Doc. 290, 71st Cong., 2d sess., p. 50). It is quite unusual to have more than one officer engaged in a survey. Here we had four. It is quite as unusual to have so elaborate and painstaking a report, obviously the result of prolonged investigation and study. So it is far from fair to say that this project is without recommendation. To be sure, the Board of Engineers and the Chief of Engineers differed with the survey board, but not in ultimate results, for the only conclusion to be drawn from the report of the Board of Engineers and of the Chief is that this project should be adopted and that just as soon as certain plans and studies can be made, in which they differ from the survey board, which has spent a very great length of time, and made a deep study of the subject.

There can be no question that a complete and favorable report would be made on this project within a few months, and that if not adopted now it would be adopted with practically no opposition as soon as a new report should be made by the Chief of Engineers. The opposition to the present adoption is on highly technical grounds; it means nothing more than deferring the adoption for a few months; and, what the project will ultimately cost can not justly be added to what the bill carries; only the expenditure authorized should be considered as a part of the expenditures involved in the present bill.

The second large authorization is that of the Tennessee River, involving \$75,000,000. Here there was a favorable report all along the line by the district engineer, the division engineers, by the board, and by the chief. Under the procedure ordinarily followed, under the practice in both the Senate and the House, the usual way would have been for the House to adopt this project just as the engineers recommend. Here, again, it can not be said that the ultimate cost of the project, or anything more than the \$5,000,000 of expenditures now authorized, should be considered as adding to the amount of the bill.

Again, it is claimed, rather recklessly, that the bill contains projects not recommended by the engineers. The fact is that the bill as it left the House contained a considerable number of projects in which the recommendations of the engineers have been considerably reduced. It contains practically no projects where an investigation had not been made and practically none where the project adopted was not in accord with the recommendations of the engineers. Nor can it be said that the Senate has added many projects which have not the approval of the engineers.

The salutary rule, and the one which is pursued, is not that Congress shall follow exactly or in all instances the recommendations of the engineers. The committees of both Houses have the highest respect for the engineers as such and as men. They regard the engineers as the finest experts in their line. There arise, however, not often but occasionally, cases which are to be determined as matters of policy or on economic grounds where the committee believes that general knowledge counts

for as much, if not more, than engineering skill. In such, and indeed in all cases, while paying the highest respect and deference to the opinion of the engineers on engineering questions the ultimate decision is with Congress to be made after full and complete investigation and on all of the facts and circumstances, including the engineering data.

There are about 105 Senate amendments. The important amendments have already been considered. The rest, some 60 in number, consist of surveys, where, as it was developed when a rivers and harbors bill came before the House some years ago, the average cost will not be over \$3 to \$5 for each amendment.

The consolidation of our waterways has been viewed by transportation experts as equally important with that of our railroads. For many years students of waterway transportation have agreed that the end to be attained in water transportation in this country is to have a connected system of waterways, so that every city, town, and hamlet located on any one of our waterways could send a ship or barge fully loaded to any other place having the advantage of a waterway location. To accomplish this entailed a comprehensive plan, and that means a large plan, involving many projects in order to connect all these waterways and make them a unified whole. This is accomplished in the pending bill; we already had the two oceans connected by the Panama Canal, but our two great inland systems of waterways—the Great Lakes and the Mississippi system, with 9,000 miles of canalized rivers—have no connection, and the Great Lakes had no connection with the sea. These two, the only missing links, are supplied in this bill through the improvement of the Illinois River and the taking over of the New York Erie and Oswego Canals. Now it will be possible to ship a vessel load of lumber from the Pacific coast without unloading or reloading, or a cargo of sulphur from Texas, or a cargo of sugar from Louisiana, or of oil from California or Texas to any destination on the Great Lakes on a through bill of lading, and at greatly reduced freight charges. Both the consumer and the producer will benefit by this large reduction in transportation cost.

Although the commerce on the Great Lakes is greatest in volume and cheapest in cost of any in the world, the products transported are simply coal, grain, ore, and stone. The result of connecting the Atlantic with the Great Lakes by the New York canals, which will be given depth and bridge clearances sufficient to make them as thoroughly efficient and economical as barge canals, and through the connection by the Illinois River of the Mississippi system with the Great Lakes the commerce on these great inland seas will grow and multiply to an enormous extent, and that as soon as the New York and the Illinois waterways are completed.

Through the pending bill, too, the Atlantic deeper waterways are completed from Boston to Florida. A navigable channel is constructed across Florida, cutting down the transportation distance between Gulf ports and those on the Atlantic by 600 miles.

We will not be threatened with shallow water and the necessity of loading the large freighters on the Great Lakes to only partial capacity in the future, because, allowing for increase in the size of freighters, the 24 feet to which the Lake channels will be deepened as the result of this bill will give an adequate transportation depth for many, many years to come. Besides that, we provide for the construction of regulatory or compensation works.

Through these two means—the deepening of the channels and these regulatory works—we will add to the present depth of 20 feet altogether 5½ or 6 feet.

This bill is the greatest bill in all of the history of the country in the beneficial results which it is sure to accomplish. Necessarily, it involves the expenditure of a considerable sum of money. However, the one aim of uniting and combining all of our waterways is accomplished by it, and that once for all. No expenditures aside from those here authorized will be necessary in the future. Indeed, looking over the country and reviewing the projects involved in this bill, it is difficult to see how many large rivers and harbors authorization bills can come before Congress for many years to come.

It is to be borne in mind, too, that our expenditures for rivers and harbors are not great as compared with those for other public works; we are expending many hundreds of millions of dollars on public buildings; and we have adopted the policy of spending \$125,000,000 a year, for three years to come, upon highways. Certainly the most enthusiastic advocates of good roads and of new and improved buildings will not claim that there is any greater demand for improved highways or new public buildings than there is for improvement of rivers and harbors, and thereby furnishing cheap transportation for our people.

I venture the assertion that there is many times the interest in and demand for the improvement of rivers and harbors than for any other public work or expenditure. Yet we are expending but \$60,000,000 a year on rivers and harbors, in face of more than twice that amount for highways and of a vastly greater expenditure for public buildings.

The public rating or estimate of the relative importance of issues is easily seen by reviewing presidential campaigns. No great orator, no speaker who was listened to by any large audience, addressed an audience throughout the last presidential campaign in which he did not fail to emphasize the fact that his party and his candidate was pledged to the improvement of our rivers and harbors. Again and again, everywhere where meetings were held was the importance of river and harbors improvement emphasized, and in each instance it met with the most enthusiastic response and support. I challenge anyone to find any considerable number of speeches where highways or public buildings were mentioned or where in any way their importance or need was emphasized.

In conclusion, I prophesy that this bill will prove far and away of the greatest value to our farmers, our manufacturers, and our consumers of any rivers and harbors bill ever passed in the history of this country.

SENATE AMENDMENTS TO H. R. 11781, INVOLVING INCREASED AUTHORIZATIONS FOR RIVER AND HARBOR WORK

New Bedford Harbor, Mass. (additional authorization)-----	\$318,000
Taunton River, Mass. (new report)-----	780,000
Newtown Creek, N. Y. (new report)-----	269,500
Bay Ridge and Red Hook Channels, New York Harbor, N. Y. (new report)-----	1,150,000
East Chester Creek, N. Y. (new report)-----	283,000
Schuylkill River, Pa. (new report)-----	1,300,000
Inland waterway from Delaware River to Chesapeake Bay, Del. and Md. (two new reports)-----	35,500
Claiborne Harbor, Md. (new report)-----	12,125
Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C. (additional authorization)-----	100,000
James River, Va. (additional authorization)-----	1,000,000
Cape Fear River, N. C., above and below Wilmington (new report)-----	796,750
Far Creek, N. C. (additional authorization)-----	10,000
Brunswick Harbor, Ga. (additional authorization)-----	816,000
Intracoastal waterway from Jacksonville, Fla., to Miami (modification of existing project; no added cost).	
Miami Harbor, Fla. (amends House provision so as to adopt complete recommendation in report; no added cost).	
Caloosahatchee and Lake Okeechobee drainage area, Florida (additional authorization)-----	2,546,000
Intracoastal waterway from Pensacola Bay to Mobile Bay, Ala. and Fla. (additional authorization)-----	500,000
Cedar Bayou, Tex. (new report)-----	25,000
Mississippi River, from Illinois River to Minneapolis (additional authorization)-----	4,442,000
Missouri River, Kansas City to Sioux City (additional authorization)-----	10,200,000
Tennessee River (additional authorization)-----	1,500,000
San Diego Harbor, Calif. (additional authorization)-----	246,000
Oakland Harbor, Calif. (new report)-----	197,000
Novo River, Calif. (new report)-----	180,000
Willamette River, between Oregon City and Portland, Oreg. (new report)-----	160,000
Columbia and Lower Willamette Rivers, Oreg. and Wash. (additional authorization)-----	500,000
Everett Harbor, Wash. (new report)-----	142,000
Lake River, Wash. (new report)-----	3,000
Seward Harbor, Alaska (new report)-----	85,000
	27,596,875

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. WILLIAM E. HULL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the river and harbor bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAM E. HULL. Mr. Speaker, a rivers and harbors bill, when completed, invariably pleases a great portion of the Members of the House and Senate. This bill in particular is one that cleans up all of the odds and ends of the waterway projects that should be adopted. Nearly every part of the United States is recognized in this bill, and justly so, because all of these projects have been thoroughly investigated by the Government engineers and passed after a complete hearing before the Rivers and Harbors Committee on each project. In my opinion, the bill adopted by the Senate is a good bill.

The only real controversial question before the Senate was the Illinois waterway, and in this, of course, I was greatly interested because the Illinois project is the most important link in the waterway between Lake Michigan and the Gulf of Mexico. Without the adoption of this waterway all the great interlocking river developments in the West and South would become almost useless because it would for all time prevent the interchange of

commerce between these rivers and the Great Lakes, which is the crux of the inland waterway development. This connection also makes it possible for the manufacturing industries on the Great Lakes to ship their products by a direct water route to the Southern Hemisphere. It is highly important that this great Illinois-Mississippi project should be adopted in such a way as to give the most efficient waterway service.

While the bill concerning the Illinois waterway, as it is now written, does not carry a complete diversion, at the same time it gives all the water necessary for the operation of the waterway until 1939, and in addition it asks for a survey during this period by the Government engineers to determine the exact amount of water that will be necessary to operate it as a useful commercial waterway for all time to come.

I believe that the demand by the citizens of the United States for the successful operation of this waterway will be so great that at the proper time Congress will authorize a diversion for the necessary water. I also believe that we should accept the project, as adopted by the Senate, and go along and complete the project at as early a date as possible. I hope the bill will pass as written.

WHAT'S WRONG WITH FARMING?

Mr. MOREHEAD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a discussion of the farm problem by Mr. Fred D. Humphrey, of Nebraska.

The SPEAKER. Is there objection?

There was no objection.

Mr. MOREHEAD. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following discussion of the farm problem by Mr. Fred D. Humphrey, of Nebraska:

("Woe unto him that useth his neighbor's service without wages, and giveth him not for his work." (Jer. xxii, 13.) "He is no clown that drives a plow, but he that doth clownish things."—Ben. Franklin.)

WHAT'S WRONG WITH FARMING?

By Fred D. Humphrey, 1210 M Street, Lincoln, Nebr.

For the relief of the farmer a lot has been written. Some of it was good, some mere piffle. Most of it was based upon the viewpoint of the writer. For instance, the financier's way of helping the farmer is to loan him money. But that is simply adding fuel to the flames of debt that are now consuming the farmer.

The industrialist's method of helping the farmer is to work out some scheme whereby he can produce more grain at less cost. He is mainly interested in keeping down the price of food to the laboring man so that the cost of living will not be increased and wages advanced. So the manufacturer seeks to help the farmer reduce the cost of producing and handling grain. This article is an attempt to look at the farming situation from the farmer's standpoint, from an economic basis.

Three things must be accomplished before the farmer will be on the road to financial success.

First. An economic price for grain must be found.

Second. This economic price must be established.

Third. All artificial interferences with the establishment and maintenance of this economic price must be abolished as far as possible.

These three things will be taken up in their order.

What is a bushel of corn worth? How much should a bushel of wheat sell for? The first rule of profit is to sell something for more than it cost. So our first inquiry will naturally be to find out what it costs to produce a bushel of grain. This is called the cost of production price. When free and unrestrained by artificial barriers, two natural laws control the price of every article of commerce—the law of cost of production and the law of supply and demand. Over a hundred years ago Adam Smith in his *Wealth of Nations* called one the "natural" price and the other the "market" price, and went on to say that whenever the "market" price fell below the "natural" price that a hardship was worked upon the producer.

He explained further that the "natural" price was what it cost to produce the article; the cost of labor, wear and tear on machinery, depreciation of land and buildings, interest on the investment, and taxes. While few farmers could give the cost of producing grain, the agricultural colleges of the Middle West have for a number of years kept an accurate and exact account of the average cost of producing a bushel of grain. Having arrived at the cost of producing a bushel of grain, having found an economic cost of production price, the next step is to establish it. And this is a long story.

ECONOMIC EVOLUTION

To many this world is a "mighty maze," but to those who have made a study of it, the Creator has a plan and a purpose in its making. The plan of creation proceeds upon orderly paths of progressive growth, or evolution, and its purpose is the ultimate perfection of man. Two laws of growth are apparent: The law of the survival of the fittest, which is the law of growth for animals, and the law of service and sacrifice, which is the law of growth for men. Business is based, more or less, upon these laws. Under individualism, where the private ownership of property is the basis of civilization, the price of an article is

determined largely by the law of the cost of production and the law of supply and demand. The law of supply and demand is the foundation of the competitive system, where success consists in the destruction of the competitor through buccaneer cutthroat prices and the survival of the fittest. The law of cost of production is the foundation of the cooperative system, where success consists of better service, right prices, and in a good-will spirit of live and let live.

We have been gradually working out from under the gambling influence of the competitive system, where the law of supply and demand fixed the price of an article and the cost of manufacture had little to do with it, and getting onto the certain and business basis of the cooperative system where the price is based largely upon the cost of production plus a fair and reasonable profit. It was to aid this change that the tariff, the Esch-Cummins law, the Federal reserve law, the immigration law, and other helps to business and labor were passed. For instance, under the tariff law, by agreement, manufacturers could make prices upon a cost of production basis in this country without the competition of foreign-made goods that were the product of cheap labor. It was figured that the high standard of living for labor in this country was a benefit to the people as a whole and should be maintained by a tariff tax.

The aim, therefore, of every business is to operate upon a cost of production or budget basis, and to get out from under the competitive and destructive effects of the law of supply and demand. Nearly every other branch of industry and labor has been helped by the Government to make this change through such legislation as the tariff, the Esch-Cummins Act, the immigration law, and the Federal reserve law. These enactments have had to do with competition, either at home or abroad, and the handling of surpluses. The farmer is the last to attempt to make this change, and he is entitled to the same consideration and help from the Government that other business and labor have had.

COMBINATION NECESSARY

In order that farmers may get a cost of production plus a profit price for their grain it is necessary for them to combine. Crop pooling on a large scale is an efficient method of cooperative marketing. It is a sane and sensible way of organizing the farmers so that they can have something to say about the price of grain.

The way to sell at an advantage is to have few sellers and many buyers. This situation is just reversed when the farmer comes to market with his grain. At the elevator there is only one buyer, the grain dealer, and many sellers, the farmers. The success of the farmer depends upon the number of buyers; the success of the grain dealer depends upon the number of sellers. The more sellers, the cheaper he will buy.

Crop pooling is an attempt to reduce the number of sellers by getting the farmers to have one man sell their grain for them. The more farmers you can get to join the pool the harder you make it for the grain buyer. The ideal condition is when all the farmers sign up. Then the only place the grain buyer can fill his orders is from their agent. When this situation is brought about the farmer can name the price the grain buyer will have to pay as there is no one else from whom he can purchase.

To get out from under destructive effects of the competitive law of supply and demand, and base agriculture upon the beneficent cooperative law of cost of production, the farmer must do as the manufacturer has done—he must organize to control the surplus grain and must provide some way of taking care of the loss on grain sold for export. In my judgment, the best form of organization is the wheat pool. It has been tried in Canada with great success.

All relief legislation is based upon the tariff principle of a cost-of-production price in the home market and a world price in the foreign market. This situation is brought about by an equalization fee or a debenture, and control of the surplus behind a tariff wall. The crop is handled by pooling the grain so that it may be distributed in accordance with the law of supply and demand, obeying the three requirements of quantity, time, and place. Control of the surplus maintains the domestic-market price and permits the sale of export grain at the foreign price without affecting the home market. The fund necessary for carrying on these operations is raised either by a tariff debenture or an equalization fee. It is a physical impossibility for 20,000,000 farmers to organize without Government help. All that the farmer asks is that the Government provide the loans and organization necessary to put the thing on its feet.

THE WEST DEMANDS BENEFIT OF TARIFF

Now what the West insists upon is that the farmer be placed on the same high American standard of living, and this can be done only by making the tariff effective as to his produce so that he will not have to compete with cheap foreign labor and the low standard of living under which the peasant exists. By handling the crop surplus through an equalization fee or a debenture the Government can help the farmer get upon a cost-of-production basis and thereby put him in step with industry and labor. Unless this is done the injustice of the present arrangement is bound to be felt sooner or later because there is a natural law of business whereby such infractions of equity are punished.

It was this natural law of justice that Thomas Jefferson was thinking of when he wrote a friend after the defeat of abolition in Virginia in 1791: "I tremble for my country when I think of the negro and remember that God is just."

The next step forward in our economic life is to put farming upon a cost of production business basis. We do not take a Government estimate of the number of shoes that are produced in the United States and then fix the price accordingly. We find out the cost of production and make our price from that. That is exactly what we must do for grain.

EQUALITY FOR AGRICULTURE

That the farmer is in dire financial straits is due to the economic inequality that exists in the United States to-day. The farmer is laboring under an economic disadvantage. He buys in a protected market at a home price, and sells in an unprotected market at a world price. This means that he buys at high prices and sells at low. This situation has arisen since the war, and has been made acute by deflation. To give some idea of the change that has taken place, a few prices will be quoted. The binder the farmer used to buy for \$125 now costs him \$250, and the wagon that he used to pay \$65 for now sells for \$150. Practically everything that the farmer buys has increased in price in the same proportion. On the other hand, pre-war prices prevail on what the farmer sells. Speaking of this great agricultural section, in a March issue of Collier's, Roger W. Babson says: "Here was a tremendous area with a population of over 12,000,000 of people, who had experienced hard times since the great smash of 1920. The reason was not poor crops but a low price for the things the farmer produced and a high price for the things he bought."

The difference in price between what the farmer pays for what he buys and what he gets for what he sells is so great that the 1928 World Almanac states that the farmer's dollar is worth only 60 cents, and Secretary Jardine in the 1926 Agriculture Yearbook says that when the farmer sells corn for 70 cents he is really only getting 45 cents on a pre-war price basis. Buying at high prices and selling at low has put the farmer so in debt that farm mortgages have more than doubled since 1910. This can not go on, and this unjust economic situation must be righted.

To right this wrong economic condition over which the farmer has had no control and which has been imposed upon him by the Government in special legislation for the benefit of the other groups of society, it is now proposed to give agriculture the same protection that labor and industry have enjoyed.

The prosperity of the farmer concerns all of us, because his condition affects us as a whole. W. J. Bryan said that if you destroyed the cities and left the farms, that the cities would spring up again as if by magic; but if you destroyed the farms, that grass would grow in the streets of the cities. That the farmer is the basis of civilization is the verdict of history. The fall of every empire began with the decay of the rural population. When the farmer fails, civilization falls. There must be a profitable return for the tiller of the soil as well as for the toiler in the town. A great nation can not be maintained on industry alone. It must raise its own food and must be renewed and sustained by a prosperous and growing farm population. Tenantry can not produce the great men necessary to carry on a great nation.

Business also reflects the condition of the farmer. The 5,000,000 idle men who walk the streets of the cities of this country to-day are there because of the distressed condition of the American farmer. Our individual and national prosperity depends upon his success. It vitally concerns us to help the farmer get upon a paying basis, and farm-relief legislation is the most efficient means to this end. It should be supported by everyone who loves fair play and a square deal and who wants to see economic justice enthroned in this great Republic. Its enactment is demanded by a hard-working and long-suffering people who are entitled to the same consideration and protection by the Government that industry and labor have had.

BARRIERS TO AN ECONOMIC PRICE

Before we can establish an economic, cost of production plus a profit price for the farmer's produce, it is necessary to tear down the existing artificial barriers to the free and untrammelled operation of the laws of cost of production and supply and demand. The present method of doing business on the Chicago Board of Trade is a constant source of irritation and hindrance to the operation of these laws. By allowing unlimited speculation and short selling, mere sentiment rules the price of grain. While it is constantly affirmed by the board that it operates under the law of supply and demand, we find that the price of grain rises and falls as the gamble goes, and anything that makes sentiment affects the price. If the law of supply and demand controlled the board, only the grain that goes to market would affect the price.

But under existing conditions, the prospect of a large crop, a rain in India, or the prediction of a failure through drought or frost, or even a drop in the stock market affects the price of grain. Ask any board of trade man if it is the grain on the farm or the grain that goes to market that makes the price. If he says it is the grain on the farm that controls the price, then it does no good for the farmer to hold

his grain; if he says it is the grain that goes to market, how is it that the prospect of a large crop three months before it can be harvested and taken to market affects the price?

PRICE FIXING

The problem of the farmer now is not so much the raising of the grain as the selling of it at a profitable price. The man who produces and owns the grain ought to have something to say about the price. Under present conditions he has nothing to say about it. Not only that, but the price as now fixed by the Chicago Board of Trade is not based upon any economic law but a mere matter of speculation. This must be changed if the farmer is ever to get upon a cost of production basis. The first step in putting agriculture upon a sound business basis is to pass a law that to sell on the board one must have the grain or a bona fide contract for it from one who has. Gambling in the property of the farmer must cease. No other business could succeed under such conditions, and no other business allows it.

The farmer is not only subject to the competition of his neighbors who have grain to sell but has to meet the competition of those who have no grain but are allowed to sell on the board something they do not have. It is gambling pure and simple, and gambling is a relic of barbarism. That is the difference between civilization and barbarism; in barbarism one takes without paying or giving any service; in civilization one refuses to take without giving compensation or service. Satisfaction guaranteed or money back is the modern merchant's way of expressing this fact.

WHO SELL WHAT THEY DO NOT OWN AND REAP WHERE THEY HAVE NOT SOWN

The big obstacle to any change in the present method of fixing the price of grain is the rule of the Chicago Board of Trade that permits of selling short or the selling of grain by those who have none. This rule makes unlimited speculation possible and destroys a stable market. When you consider that the whole grain crop is sold every month, or twelve times as much as exists is sold every year, you realize to what alarming extent speculation takes place in grain trading. Naturally where there is so much more bought and sold in a speculative way the speculative price controls, to the great loss of the farmer and the grain trade in general. To remedy this evil and prevent gambling it is necessary to pass a law that to sell on the board one must have the grain or a contract for it from one who has. This rule will take care of legitimate business and hedging and prevent the violent and destructive price fluctuations that accompanying gambling on the board.

GAMBLING

Gambling is wrong per se in itself, because it is taking something for nothing, and taking something for nothing is another form of stealing. Gambling is an attempt to get wealth without work, and, therefore, wrong. That is right which helps evolution; that is wrong which hinders the growth of the individual. Man grows by effort. It is not in getting the thing, but in the effort put forth in its attainment that gives advancement. We gain strength by putting brain and muscle to the strain.

The theory upon which the Chicago price is fixed is that of bargaining and belongs to the Dark Ages of trading. How long would any business last if it auctioned off its goods? Fifty years ago people used to bargain for everything they bought, but now business is built upon the solid foundation of fair prices. James Allen, in his book, says, "Justice is the giving and receiving of equal values. What is called striking a bargain is a kind of theft. It means that purchaser gives value for only a portion of his purchase, the remainder being appropriated as clear gain. The bargaining spirit of business is not the true spirit of commerce. It is the selfish, thieving spirit which wants to get something for nothing. The sound business man purges his business of all bargaining, and builds it on the more dignified basis of justice. He supplies a good article at its right price, and does not alter." He has but one price—that based upon cost of production plus a reasonable profit. To keep step with industry and labor, the farmer must go and do likewise.

ECONOMIC INJUSTICE THE GREAT WRONG

The West has endured the stress of unfair economic conditions imposed by the Government in a high protective tariff for the last 10 years. All other lines of industry and labor have been helped by legislation to build anew upon a cost-of-production basis, but agriculture has been left to shift for itself. It is the only business to-day not organized upon a cost-of-production basis. Unless farming is put in step with other lines of industry, the East may yet be made to realize how far their prosperity is based upon ours. It was because the industrialists of Rome refused to hear the cry of the home farmers of that day for a price that would enable them to prosper, and bought grain in Sicily and Egypt because it was cheap, that the Roman Empire became disorganized and Rome fell. Are we going to profit by their failure? The West is not in want, but it is in the slavery of debt. Is slavery less galling because self-imposed, or debt less tyrannical because an elected sovereign? Debt is the taskmaster of this age, and interest is the chain that binds. This is a war of abolition—the aboli-

tion of debt—and grain is the liberator, who, when prices are based upon the solid ground of cost of production plus a profit business basis, will free the debt slaves of the West.

UPPER MISSISSIPPI, ST. CROIX, AND MINNESOTA RIVERS

Mr. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my remarks on the rivers and harbors conference report.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDRESEN. Mr. Speaker, the farmers and business men of Minnesota are vitally interested in the development of river transportation, and therefore I desire at this time to speak upon the 9-foot channel project in the Mississippi River and for the authorization for surveys on the St. Croix and Minnesota Rivers.

The present rivers and harbors bill contains a provision for a 9-foot channel in the upper Mississippi River and provides an authorization of \$7,500,000 as the initial appropriation, in addition to other amounts authorized under existing projects. The importance of the adoption of the 9-foot project at this time can not be overestimated in its benefits for Minnesota and other States in the upper Mississippi Valley, and I most urgently request the House and the conferees on the rivers and harbors bill to concur in the Senate provision.

The total cost of the project is estimated to be less than \$100,000,000. While this amount might seem large, it is estimated that the entire cost will be saved to the farmers and consumers within two or three years after completion, by reason of lower transportation rates on agricultural and other products.

The Secretary of War and the Board of Engineers of the War Department have given recognition to the establishment of a 9-foot channel in the upper Mississippi River. Under the recommendations made by the board it appears to me that the proper time is at hand for the adoption of this project in the present rivers and harbors bill.

I quote briefly from the report made by the Chief of Engineers:

The improvement of the main stem of the Mississippi River as far north as the cities of St. Paul and Minneapolis, goes logically in hand with the recently completed 9-foot project on the Ohio to Pittsburgh and the ultimate opening of the Missouri to the greatest feasible depth. It is an essential part of the Mississippi Valley system and part of the route from that system to the Great Lakes. Reliable and economical navigation is not practicable on a depth of less than 6 feet, but would be assured by a depth of 9 feet. It is recommended that all permanent structures on the upper Mississippi River to be built under the existing project between the mouth of the Mississippi and St. Paul-Minneapolis be executed with a view of being adapted without reconstruction or relocation to plans for an ultimate 9-foot depth, and that after completion of the survey now in progress complete and detailed plans for a 9-foot project from the mouth of the Missouri to St. Paul-Minneapolis be prepared and submitted to Congress.

The construction of the Panama Canal reduced the cost of transportation from coast to coast. The intercoast water rate now is less than the rate by rail from the central United States to any seaport. This virtual increase of the distance from the farm to seaports is further aggravated by the recent increase in rail rates. Should the Mississippi be developed to the proportions of a trunk stream throughout, it would tend to equalize the competition between our inland States and the agricultural regions of other countries more advantageously located near the oceans.

I desire to call the attention of the committee to a statement made by the Secretary of Agriculture for the year 1921, on the effect of increases in freight rates:

This transportation matter is one of vital importance to agriculture. The country has been developed on the low long haul. Land values, crops, and farming practices in general have been adjusted to this development. Large advances in freight rates, therefore, while bearable in a time of high prices, if continued, are bound to involve a remaking of our agricultural map. The simple process of marking up the transportation cost a few cents per hundred pounds has the same effect on a surplus-producing State as picking it up and setting it down 100 to 300 miles farther from market.

I also desire to call the attention of the House to statements made by the President while a member of the Cabinet as Secretary of Commerce:

It seems certain that the cost of transportation to these competitive markets must be deducted from the farm price, and that it not only affects the actual grain moved to these markets, but establishes a lower comparative price level for all grain produced.

In the mid-West, the territory tributary to any of these projects, the economic situation is considerably distorted; there is much agricultural distress and incessant demands for remedial legislation. This situation

to a large extent has been brought about by transportation changes. Increases in railway rates since the war force the mid-West farmer to pay from 6 to 12 cents more per bushel to reach world markets than before the war. Foreign farmers produce close to ocean ports and pay but little, if any, more than pre-war costs, because shipping rates are substantially at pre-war levels.

While it is true that these rate increases apply only on the exports of grain, nevertheless the price which the farmer receives in foreign markets is the principal factor in determining his return upon the whole crop, not alone the export balance. It is this transportation differential that is unquestionably one of the most important causes for our present agricultural depression.

Coincident with these increased rail rates the mid-West has also been affected adversely by the operation of the Panama Canal. Cheaper water transportation has brought the coasts relatively closer together at the same time that increased rail rates, figuratively speaking, have moved the mid-West farther from seaboard. This situation has been expressed graphically by setting up a new measuring unit in the shape of the number of cents that it takes to move a ton of freight. By using this measuring road, it can be stated, that for a certain manufacture these post-war influences have moved Chicago 336 cents away from the Pacific coast, while New York has been moved 224 cents closer to the Pacific coast. These factors operate reciprocally and not only place a handicap on the outbound products of the mid-West but also add to the costs of inbound supplies.

It appears to me that the necessity for the development of the upper Mississippi River can not be questioned by any reasonable minded individual, and the time is now at hand for the complete adoption of the project.

Hand in hand with the development of the upper Mississippi is included a survey for a 9-foot channel in the St. Croix River and a survey for a 6-foot channel in the Minnesota River at the present time. The development of these two rivers will make possible lower transportation rates and complete use of the important tributaries in the Mississippi River system.

These projects are necessities, the ultimate consummation of which will go a long ways toward solving the difficult economic problem with which we are confronted in the Middle West.

CONDITIONS IN VENEZUELA

Mr. GASQUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in regard to a resolution introduced regarding conditions in Venezuela.

The SPEAKER. Is there objection?

There was no objection.

Mr. GASQUE. Mr. Speaker, under leave granted me extending my remarks, I want to refer to a resolution introduced by me in the House to-day relative to the conditions which it has been intimated exist in our neighbor Republic, Venezuela. The resolution is as follows:

Whereas it is charged in affidavits, letters, and writings set out in the CONGRESSIONAL RECORD of the United States of Tuesday, June 3, 1930, at pages 9939 to 9955, that the Government set up in Venezuela has been for many years, and now is, a despotism of the most obnoxious types; and

Whereas it is inconceivable that the Government of the United States of America should continue to maintain diplomatic relations with any so-called government that maintains itself in power by inflicting the most inhuman tortures upon men, women, and children, in order to present to the world an appearance of "peace and order"; and

Whereas it appears that the despotism that has been in effect for so long a time in Venezuela is in direct conflict with the republican form of government which is published to the world as being the form of government existing in that country, and upon which representation Venezuela has been able to secure entry into the family of civilized nations; and

Whereas it appears that this chaotic condition in Venezuela has resulted in the unlawful imprisonment of a citizen of the United States of America and the denial to him of the protection of the law published as being in force and effect in Venezuela; and

Whereas it appears that this despotism in Venezuela could not exist if it were not for the moral support and aid that the despot Juan Vincente Gomez receives from the United States of America: Now, therefore be it

Resolved, That the Foreign Affairs Committee of the House of Representatives of the said United States is hereby requested and urged to make a full investigation of conditions in Venezuela with the object of ascertaining the facts relative to the charges set forth in the affidavits, letter, and writings published in the CONGRESSIONAL RECORD of June 3, 1930, at pages aforesaid, in order that the Congress of the United States may be fully informed to what extent, if any, the Government of the United States is responsible for the horrible conditions that are alleged to exist in Venezuela, South America.

Resolved further, That said committee or a subcommittee thereof be, and it hereby is, given full power to subpoena witnesses and require their testimony before it or any subcommittee thereof.

Resolved further, That the said committee report the evidence and its findings thereon, together with recommendations as to it might seem appropriate, to the Congress with all convenient speed.

It has been brought to my attention that a citizen of the United States, Mr. James E. Welch, of the State of Louisiana, had been for a considerable period of time incarcerated by the Venezuelan Government in jail in that country without the authority of law; and from Mr. Welch's statement and other information which I have received there does not seem to have been the least semblance for grounds for his being incarcerated in this filthy prison.

After my attention had been called to this fact I was led to make a study of this particular case, and this made it necessary for me to look into the general political conditions existing in that country and I must say that I am appalled at the conditions that seem to exist in Venezuela. It is inconceivable to me that such conditions that appear to have existed for many years could continue and not result in protest from all civilized nations of the world. This particular citizen of the United States having been so grossly misused by this Government, the guaranteed protection by his country is what interested me more than any other phase of the conditions that exist there.

I have examined the evidence submitted on the part of those interested in obtaining justice for James E. Welch, citizen of the United States, and have been appalled to find that the Government of the United States would bring itself to recognize any so-called government, maintained by such practices as seem to be the rule under the Gomez régime in Venezuela. I frankly admit as a Member of the Congress of the United States that if one-hundredth part of the things charged against Gomez in a book which I have recently read, Gomez the Shame of America, by Jose Rafael Pocatererra, be true, then his countenance in power by the aid, directly or indirectly, in the United States is one of the foulest blots upon the record of this country; and I say further without hesitation that if any reasonable portion of the things charged in this book be true, then those who are responsible for the recognition and maintenance in Venezuela have betrayed the people of this country, and especially the things which this country was supposed to have fought for in the World War.

Some time ago Senator RANDELL introduced a resolution in the Senate asking for the investigation of these conditions by the Senate Foreign Relations Committee in which I am very much interested, and I sincerely hope that the Senate and House will both make an investigation for the purpose of ascertaining if the statements placed in the RECORD by Senator RANDELL are true or only alleged.

It seems to me that it is a poor public policy for the Government to be negotiating treaties having for their declared purpose the establishing of peace in the world based upon an "enlightened sense of justice" if we are to stand by, give aid and comfort to a despot who maintains himself in power, if reports be true, by resorting to practices that would put to shame the most barbaric chief that ever ruled over any uncivilized tribe in the darkest ages of the world's history.

Of course, these charges against this Government may not be well founded but in view of the fact that a citizen of the United States claims to have received the barbarous treatment that he has received and in view of other charges that are being made I am convinced it is the duty of this Congress to investigate same and I sincerely trust that the resolution that I have introduced will bring about action by the Foreign Affairs Committee.

THE BLACK BASS

Mr. WILLIAM E. HULL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the bill, H. R. 941, passed yesterday?

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAM E. HULL. Mr. Speaker and Members of the House, I would like to say a few words in support of legislation now before the House—a bill to regulate the interstate transportation of black bass. This bill is offered for the protection of the greatest of all American game fish, the black bass, which will soon become extinct in the United States unless some nationwide protection is offered for its salvation.

Experience has shown that the black bass can not be artificially propagated the same as trout and other fishes, but must be given protection and opportunity to reproduce under natural conditions. Hence, if this noble fish should eventually disappear from the waters of the United States, it will be gone forever and as completely as the buffalo and the passenger pigeon.

Some States already have laws on their statute books preventing the sale of black bass, but these laws are more or less

nullified by the fact that black bass is shipped out of the State in barrels with rough fish on the top and bottom and with black bass in between and offered for sale in States where there are no laws to prohibit the transaction. This bill, we believe, will put a stop to this evasion of the State laws and will do more for the protection of black bass than anything that has been offered in this connection up to this time.

As a boy, I experienced the thrill that comes from an encounter with this king of our game fish, and enjoyed the boyhood pleasures of hunting and fishing on our native streams in Illinois and I have always had a keen desire to make it possible for the boys of future generations to have some share in like pleasures and pastimes which have no equal and are, perhaps, the most healthful and wholesome of all the pleasures of boyhood.

I hope that no one in the House will raise an objection to this bill and that we may be able to take one sure step forward in our plan of conservation by enacting the bill into law.

LEAVE TO ADDRESS THE HOUSE

Mr. CHALMERS. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes to-morrow after the remarks of the gentleman from Massachusetts [Mr. TREADWAY].

The SPEAKER. The Chair is informed that the gentleman from Massachusetts obtained consent to address the House for 10 minutes to-morrow. The gentleman from Ohio asks unanimous consent that following him he may be permitted to address the House for 10 minutes. Is there objection?

There was no objection.

RELIEF OF CERTAIN OFFICERS AND EMPLOYEES OF THE FOREIGN SERVICE—CONFERENCE REPORT

Mr. TEMPLE. Mr. Speaker, I present a conference report on the bill (H. R. 10919) for the relief of certain officers and employees of the Foreign Service of the United States, and so forth, for printing under the rule.

PROCEEDINGS OF THE THIRTY-FIRST NATIONAL ENCAMPMENT, VETERANS OF FOREIGN WARS

Mr. KIESS. Mr. Speaker, I present a privileged report from the Committee on Printing.

The SPEAKER. The gentleman offers a resolution from the Committee on Printing. The Clerk will report it.

The Clerk read as follows:

House Resolution 256

Resolved, That there shall be printed as a House document the proceedings of the Thirty-first National Encampment of the Veterans of Foreign Wars of the United States for the year 1930, with accompanying illustrations.

Mr. GARNER. Mr. Speaker, what is the nature of that?

Mr. KIESS. It is a resolution for printing the proceedings of the National Encampment of the Veterans of Foreign Wars of the United States. It is not a new thing at all, as we have been doing it for a number of years. It costs approximately \$1,900. I am surprised that there should be any opposition to a resolution of this kind, when to-morrow or next day we may be called upon to appropriate millions of dollars for World War veterans. It merely confirms the statement I have often made that it is easier to pass a bill appropriating millions of dollars than to pass one involving only a few thousand dollars.

Mr. GARNER. This is a unanimous report?

Mr. KIESS. It is.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

PROCEEDINGS OF THE TENTH NATIONAL CONVENTION OF DISABLED AMERICAN VETERANS OF THE WORLD WAR

Mr. KIESS. Mr. Speaker, I present another privileged resolution from the Committee on Printing.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Resolution 255

Resolved, That there shall be printed as a House document the proceedings of the Tenth National Convention of the Disabled American Veterans of the World War for the year 1930, with accompanying illustrations.

Mr. KIESS. This will cost \$1,383.30.

The SPEAKER. Is there objection to its present consideration?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent, if agreeable to the leadership, to address the House on Thursday after the disposition of business on the Speaker's table, for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. SCHAFER of Wisconsin. Reserving the right to object, on what subject?

Mr. CRAMTON. I would like to discuss the subject of the duplication of effort and waste of public funds due to the War Department taking over the functions of the Geological Survey and the Reclamation Service and other activities of the Interior Department.

Mr. SCHAFER of Wisconsin. There is nothing about prohibition?

Mr. CRAMTON. Nothing of the kind; although I recognize the need of the gentleman from Wisconsin for light on that. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. OLIVER] may have 15 minutes on Thursday, following the address of the gentleman from Michigan [Mr. CRAMTON].

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from Alabama [Mr. OLIVER] may have 15 minutes on Thursday, following the address of the gentleman from Michigan. Is there objection?

There was no objection.

Mr. STEVENSON. Mr. Speaker, I would like to ask the indulgence of the House immediately after the address of the gentleman from Alabama [Mr. OLIVER] to the extent of five minutes.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to address the House for five minutes on Thursday, following the address of the gentleman from Alabama [Mr. OLIVER]. Is there objection?

There was no objection.

TREASURY DEPARTMENT RECORDS

Mr. STRONG of Kansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 260.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of House Resolution 260. The Clerk will report it.

The Clerk read as follows:

House Resolution 260

Resolved, That the Clerk of the House of Representatives be, and he is hereby, directed to return to the Treasury Department, taking receipt therefore, the original records, documents, books, and papers, inventoried, which were adduced as evidence before the select committee appointed under House Resolution 231, Sixty-eighth Congress, and by that committee turned over to the files of the House to accompany its report.

The SPEAKER. Is there objection?

Mr. GARNER. What is the object?

Mr. STRONG of Kansas. The purpose of it is to return to the Treasury Department the files that our committee used during the consideration of the duplication of funds a few years ago.

Mr. GARNER. Has the Treasury Department made a request that they be returned?

Mr. STRONG of Kansas. Yes.

Mr. SCHAFER of Wisconsin. Has the committee made a thorough investigation of the question?

Mr. STRONG of Kansas. Yes.

Mr. STEVENSON. These papers were impounded by us and have been kept in the committee room. They may be lost. If there is anything going to be done I object to their going back.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE RIVERS AND HARBORS BILL

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks on the rivers and harbors bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'CONNOR of Louisiana. Mr. Speaker, I am a member of the Committee on Rivers and Harbors. I have nothing to

speak of in this bill. I have no direct interest in it. The Mississippi River from Cape Girardeau to the Head of the Passes is under the jurisdiction and control of the Mississippi River Commission, and my interest in the great river is from the standpoint of flood control, which, when effectuated, will mean a navigable river the year around.

But I am as enthusiastic as any member on Rivers and Harbors for our waterways that are not under the dominion of the Mississippi River Commission. Why? Because the development of the upper Mississippi, the Missouri, the Illinois, and every other navigable tributary of the big river that moves through New Orleans to the Gulf means necessarily something in the way of commerce to the old city of which every American is proud, and that her native sons love as the last city on the river.

I sent down through our newspaper correspondents to-night expressions which I know will be gratifying to our people who can never forget the glories of the past and who sigh for their return for the renaissance which will again story the mighty stream with the romance immortalized by Mark Twain. Said DEMPSEY, in a brief message into which he compressed a book of information, "Tell them I think that the passage of this bill means more for the valley and the Great Lakes States than anything that has happened legislatively during 100 years"—and mark me, the Great Lakes States will in the future vie with the valley States in claiming the credit for the passage of this constructive measure.

And so said ED HULL, who has played the part of a hero in the strife. With characteristic courage he stated clearly with faith in the greatness that opulence can and will bring to his countrymen, if time and experience demonstrate that there are imperfections in the bill we shall make them perfections. Let us build upon this splendid foundation enduringly, so that even in this generation men will say, "Well done, good and faithful servant."

Mr. Speaker, some time since I had the pleasure of attending with other members of the Committee on Rivers and Harbors, a joint discussion with the Board of Engineers in regard to the Erie Canal. The gentleman from New York [Mr. DEMPSEY], one of the big men of this House, had been advocating for a long time the development of the Erie Canal upon the ground that the present equipment used in that canal can not economically transport the freight that would be transported profitably in larger barges.

During the course of his address Mr. DEMPSEY made what was to me an astounding statement, and I dare say astounding to a great many others, and yet very gratifying. Mr. DEMPSEY was very eloquent, because he felt his subject keenly. He is a man greatly interested in the development of the country from a waterways standpoint, and I say for him that he knows no North, no South, no East, no West. Mr. DEMPSEY is a real waterway man and urges his views with the zeal of a crusader following Peter the Hermit. We Democrats on the committee greatly admire Mr. DEMPSEY. Mr. DEMPSEY, in the course of his address to the Board of Engineers, made the statement that Mr. L. F. Loree, president of the Delaware & Hudson Railroad, one of the great captains of industry of this country before he became a transportation man, and who is educated to his finger tips upon traffic matters, declared recently that the traffic of this country is doubling every 12 years, and that if the waterway development of the country is not given the most serious thought and support by the National Government, within 25 years the transportation system of this country will be seriously embarrassed as a result of inability to carry on and perform the great function that the American people believe is the function of the transportation agencies of our country. That is very gratifying, because I believe that this big man in the transportation world has based his opinion on expert knowledge of the subject, and as I understand his viewpoint is supported by some leading traffic men of the country, and it is gratifying, I say again, because it holds out the magnificent prospect of a wonderful business development in our country when the transportation agencies will find difficulty in handling it during the next 12 years.

But, he says, notwithstanding all of this, embarrassment is likely to result unless we develop the waterways notwithstanding the fact that to-day freight cars move at the rate of 40 miles a day, where only six years ago they moved at the rate of only 13 miles a day. Locomotives have a greater capacity and power than a few years ago, and everything within the transportation potentialities of the country are receiving the attention that would make them adequate, but the National Government must do its duty and perform satisfactorily the service that the people require, and to do that we must develop the waterways.

Of course, Mr. Loree, a veritable giant in the transportation world, knows that every development of our waterways means a corresponding development and expansion of railroads to meet the increased demands of trade, promoted and stimulated by the economic movement of goods and commodities.

Of course, there is a school of thought that States ought to do something in that direction. We all know that States will do service in the direction of the development of waterways only sporadically, as it were. As a result of some great political campaign, something might be done by a State, and then the State and the people will relapse into a condition of inertia, almost, and the development will not receive the support that it ought to receive. Why? Because the people of the country have come to the conviction that the National Government is in that business, necessarily in that business because, after all, it is interstate in character to such an extent as to make it fundamentally one of the great purposes of the Federal Government. The attitude of Mr. Loree is highly instructive and constructive, for it is helpful to those real friends of the railroads who have insisted that the different modes of our transportation system are interdependent, and that the prosperity of any one of the modes is felt advantageously by the others.

I have prepared a few remarks upon the subject. I hope they will prove entertaining, if not informative.

For months past this country, as well as the balance of the world, has been, and still is, suffering from a business recession, which must be admitted, and we would simply be futilely and foolishly blinding ourselves to the fact if we refused to recognize the situation. That is the reason why, gentlemen, I said it was gratifying to have the picture thrown upon the House canvas for our edification, showing that business will increase to the remarkable extent Mr. Loree inferentially, according to Mr. DEMPSEY, predicted for the next 25 years. I am always glad to let the sunshine of hope filter through the fog of depression and pessimism.

Unemployment, particularly in certain lines, is unquestionably considerable, with resultant suffering and lessened purchasing power. But the industrial and financial structure of the country is fundamentally sound, and if mistakes are avoided and constructive action advanced, there need be no substantial fear of the future. In the minds of men of light and leading in all the great marts of trade, from the United States Chamber of Commerce to the little board of trade in the small town, as well as in the expressions from financial editors of our great dailies, there is the thought that both the severity and the duration of the trade recession will be directly in proportion to the sound constructive leadership and business sense shown by our bankers, merchants, and manufacturers in the immediate future and during the next three months. No one can predict the exact date on which the country may hope to return to normalcy, but every economist practically declares that the recession need not be of long duration and that we may expect an improvement in conditions reasonably soon, provided we collectively and individually use common sense and courage.

While it is true that we should not depend too greatly upon governmental authority as if it were a magician's wand to bring about prosperity, still the Federal, State, city, and town administrations may by wise and needed improvements, which really become desirable investments, take up considerable slack and thereby measurably lessen unemployment. Like all men who have lived long enough to have given the subject any thought, I know that there is no royal road to success and that prosperity does not come merely for the wishing for it. It does not come and will not come through proclamations, however gorgeous and resonant with polysyllabic spluttering that heat the imagination but do not burnish or brighten it; nor does prosperity come through consultation and conference alone, however exalted the notables and potentates that attend may be. If success is to be achieved, there must be community, city, State, and National effort intelligently applied and directed. In this great enterprise of leading and carrying the country back to prosperity, contentment, and the full dinner pail the Federal Government can do noble things. It can lead, inspire, and co-ordinate many suspended activities and press them to accomplishment, which in itself will be stimulating to the depressed manufacturer, worker, farmer and consumer, merchant and patron.

I am an optimist by nature and revel in the thought our country, great and magnificent as it is to-day, is but approaching the arch wherethrough gleams that brilliant and picturesque but untroubled world of opulence that lies beyond and on the margin of which we can glimpse the glories of the coming day. [Applause.] We have just momentarily halted in the great forward march and are about to resume the journey. The

morn will be all the brighter for the night having been so dark for a little while. Listen to this hopeful note from Julius H. Barnes, chairman of the National Business Survey Conference called at the direction of President Hoover:

Detailed reports on the business situation reaching the headquarters of the National Business Survey Conference continue encouraging. Business is on the upgrade, and we are rapidly approaching the time for the ordinary revival of outdoor work, which will further accelerate progress.

The shock of the deflation in security prices has largely been absorbed. The danger of a long depression appears fairly over; with every evidence of early renewal of the normal onward march of living standards and business progress.

LEADERS GAIN CONFIDENCE

We do not need to detail the reassuring factors that became manifest even two months ago, because to-day business reviews, economists, and business leaders are speaking with confidence and on a growing record of business recovery.

This improvement became possible because of the collective common sense, the courage, and enterprise of all kinds of Americans in business and out. We do, however, need to continue to apply these qualities, especially for the next few weeks. Careful planning and cooperation can improve buying power still further and can help to relieve individual hardship. Three months is a short period in the evolution of business but a long time to the worker out of a job, even if he has accumulated savings.

BIG BUSINESS DOES ITS PART

Large business units are doing their part daily to help. The railroads, the public utilities, the steel industry, and others have increased and speeded up their construction plans. Reports coming in from business establishments disclose also that they generally are following through the suggestion of the business-survey conference that until outdoor construction generally can get under way they can assist by advancing within prudent judgment all necessary repairs, improvements, betterments, etc., of both normal and emergency character. Home owners, too, can help by doing needed work now, so that men temporarily idle can be carried over until larger programs can be started.

American business is carrying out its pledge to make every effort to create and maintain employment until business momentum is fully regained and the emergency is over. Wage scales, too, are being maintained to sustain buying power.

MORE PERSONS EMPLOYED

One of the most encouraging factors at the present time is found in the fact that at least 44,000,000 persons are gainfully employed, which is 10,000,000 more than were at work in 1921. This in itself helps to explain the checking of this business recession in so short a time, because these 10,000,000 additional workers, earning higher income than is possible in earlier years, themselves furnish a buying power which keeps fellow workers employed and factories running to serve their needs.

Any wide unemployment immediately reacts on business, and the modern business man, knowing this, is as anxious as the worker himself to keep unemployment at a minimum.

President Hoover is anxious to do his share and will be an Aaron holding up the hands of the Moses impersonified by the combined courage and vision of the American people who will lead the country out of the wilderness of unemployment and doubt into the land flowing with the milk and honey of an even greater prosperity than any we have already enjoyed. And Congress will endeavor to be a hero in the strife, as it were, to do great things for the country it represents. Already it has almost unanimously increased the authorization for roads from seventy-five to one hundred and twenty-five million dollars. And now we have a bill the total authorization of which may approximate \$150,000,000. And why not? It is three years since we have had a river and harbor bill, which means that we are authorizing about fifty million a year, a pitifully small sum when it is realized that these sums are not expenditures from which there is no return but a wise investment yielding a golden result in the way of direct and indirect savings and economies that are promoting the national welfare. So that even now political and economic seers can envision a fabulous future and unimaginable wealth flowing from a scientifically developed waterway system, coast, harbor, and inland.

The gleam which led President Hoover when he was Secretary of Commerce is still lighting his way, and has enlarged the view and brightened the vision of WALLACE DEMPSEY, for the years have but emphasized in him a conviction that America's destiny is inseparably associated with waterways that, rising in our mountains, ultimately find their way to the sea. These streams, great and small, are our best asset, for they are the routes easily and economically maintained over which much of our commerce must reach the seas. As a Member of Congress

and one of the Committee on Rivers and Harbors, I have fought for waterway development with the zeal of a crusader following Peter the Hermit.

As an American fond of dreaming of my country's greatness in terms of "ocean to ocean and from the Lakes to the Gulf," I have fought the good fight, and not in vain, I hope. Born and reared in New Orleans, I knew from my earliest days that every drop of rain and snow that falls between the crest of the Alleghenies and ramparts of the Rockies had to roll on by New Orleans to the eternal sea. Why should we of the lower reaches of the Father of Waters not know what rivers can do in the way of harm when unrestrained, and what a blessing they may be when controlled and regulated? Let me recall to those who live in the valley a picture that presented itself to my mind here on the floor of the House about two years ago, inspired by the eloquent addresses I heard Mr. Hoover make on his then favorite subject, The Development and Use of Our Waterways.

The territory pictured by me of the Mississippi Valley comprises two-thirds of the total national area. It domiciles over half of the entire population. Its contributions to the national wealth are 68 per cent of exportable products, 52 per cent of manufactures, and 70 per cent of agricultural products of the Nation.

In this territory is contained the industrial center of the Nation, at the foot of Lake Michigan; the agricultural center, near the confluence of the Mississippi and Illinois Rivers, and the center of population in southwestern Indiana, close to the Illinois line.

For this chief wealth-producing section of the United States and of the world the natural arteries of transportation are the Great Lakes and the Mississippi-Illinois-Ohio River systems, flowing into the Gulf of Mexico.

The Federal Government has spent nearly \$430,000,000 on waterways in the Mississippi Basin. Of this, over \$100,000,000 were appropriated to the development of the Mississippi from its mouth to the Ohio, and about one hundred million more to the improvement of the Ohio and its immediate confluence. As a result of this national effort the Mississippi is navigable by barge of 9-foot draft from Cairo to the Gulf, and the Ohio from the industrial centers of western Pennsylvania to its confluence with the Mississippi.

At an expenditure of \$60,000,000 the people of the Sanitary District of Chicago have dredged and improved the northern link of the Illinois-Mississippi waterway from Chicago to Joliet. The State of Illinois, at the cost of \$20,000,000 more, has partly completed and has under construction the continuing link from Joliet to Utica.

In the heart of this system of waterways—a clot, blocking off the circulation of lake traffic from the rivers to the south and east—is the undredged section of the Illinois-Mississippi Rivers from Utica to Cairo. The opening of this artery involves the expenditure by the National Government of less than \$5,000,000, plus an undetermined sum of perhaps \$25,000,000 for compensating works to maintain and restore lake levels. The improvement itself consists of deepening to 9 feet the two rivers between Utica and Cairo, removing four locks and dams in the Illinois, and assuring a constant and adequate flow of water from Lake Michigan into the Mississippi.

Adequate navigation of the Mississippi from St. Louis and of the Ohio-Mississippi from Pittsburgh to the Gulf and the Great Lakes is dependent upon the construction of this link.

The Government has appropriated approximately \$40,000,000 for deepening the Missouri from Kansas City to St. Louis and the Mississippi from Minneapolis to the latter metropolis. The project will change the present 3½-foot depth to one of 6 feet.

Total Federal appropriations for the improvement of coastwise harbors aggregate more than \$500,000,000. The cost of the Panama Canal was nearly \$400,000,000. These expenditures were borne by all of the people, yet because of the undeveloped link in the Lakes to Gulf waterway agriculture and industry in this great central empire are withheld from their full share in the benefits of these improvements, and the shippers of this section are forced to compete disadvantageously with those of the eastern centers.

An illustration of this inequality is in the fact that machinery can be shipped from points in the Middle West by rail to the eastern seaboard, thence by water through the Panama Canal to Pacific ports, more cheaply than it can be sent by rail direct from the point of manufacture to its western destination.

About 7,000,000 tons of cargo passed through the Panama Canal in 1919; in 1924 this tonnage had increased to between 27,000,000 and 30,000,000. The Ohio-Monongahela-Allegheny Rivers system carried about 38,000,000 tons in 1923. The Mississippi-Warrior Rivers service, under adverse conditions, in the first years of operation transported 4,000,000 tons of freight. In about this same period one railroad operating between Chicago and the Gulf increased its freight tonnage from 38,000,000 to over 55,000,000.

In the immediate territory traversed by the projected Illinois-Mississippi improvement 25,000,000 tons of freight a year are immediately

available for the waterway, which will have an annual capacity of 60,000,000 tons.

The city of Chicago alone uses annually about 38,000,000 tons of coal, with consumption increasing at the rate of 1,000,000 tons a year. Over half of this coal is mined in southern Illinois, within one day's motor-truck haul of the Illinois River. The construction of the Illinois-Mississippi deep waterway will lower the cost of this coal in the Chicago district by about \$1 a ton, with a commensurate reduction in the cost of coal shipped by this 9-foot channel to such Lake cities as Milwaukee, Duluth, Superior, and Detroit. As another indicant of the tonnage available for shipment by this waterway, 200,000,000 bushels of grain are raised yearly in Illinois within hauling distance of the river.

Every congressional district in the States of South Dakota, Minnesota, Illinois, Wisconsin, Indiana, Michigan, Iowa, Nebraska, Ohio, and Missouri utilized the Mississippi barge line during its first five years of operation. The water rates being 20 per cent lower than corresponding rail rates, this barge line saved for shippers directly \$3,392,000, and indirectly an indeterminate sum through reduction in the rates of competing railroads.

The industrial and agricultural centers of the Allegheny watershed and of the South can be linked by water routes with the Great Lakes only by the construction of the deep waterway between Utica and Cairo.

Over half of the Nation's population can secure the full benefits of the Panama Canal investment only through this construction.

The Federal Government, by the small expenditure involved, can enhance immeasurably the value of the \$550,000,000 investment in Mississippi Basin waterways and can give to all of the people of the United States the most comprehensive system of water transportation in the world.

Mr. Speaker, only the one that has the faith in him can see the numberless towns and cities yet unborn that are to adorn the banks of our immense waterways—cities and towns that will promote the welfare of our country and bring happiness to millions who will find unending employment in the incalculable commerce that will move over an inland route only as one example from Boston to the Rio Grande. Not only will this make for the development of a commerce that will pale into insignificance all of the argosies dreamed of in the past but will make for a military defense that has been urged by Secretaries of War and Commerce for many years past in every succeeding administration since the Civil War.

Mr. Speaker, when the United States sprang into existence in 1789 as a result of the great Constitutional Convention that gave birth to that wonderful federation, no one believed that in the incredibly short period of 141 years the United States would be composed of 48 great Commonwealths and would reach from the Canadian line down to the Gulf of Mexico. It was then only 13 States or Colonies straggling along the Atlantic coast.

No dreamer was fantastic enough to look into the future and tell the world that he beheld a dream so dazzling as the imperial civilization that is our boast and our glory of to-day. Stand before a map of our country and look. See it as it rolls under your gaze from the Atlantic to the Pacific. Ponder over the trials and tribulations of the American pioneers as they marched westward, settling around the Great Lakes, and then over the Mississippi and across the Louisiana Purchase, which became their own in 1803, and across the Rockies to the shores of the Pacific Ocean, either through the Oregon Territory, the American title to which was established in 1846, or by way of the empire ceded to us by Mexico in 1848, and you will realize that performance has outgrown any promise that might have been made when the Constitution of our country was adopted.

Gaze at that map and see the Lone Star State, with a territory as great as that of the Republic of Germany. Look down and see Alaska at the bottom of the map, whose mountains and lakes defy the brush of the painter or the tongue of the poet to describe. Glance at the Philippines, queen of the eastern seas, fairest of all Edens, with Samoa, Hawaii, Porto Rico, the Virgin Islands, the Canal Zone, and drink in the thought that Old Glory, the flag of our country, waves under the icy gale and beneath the northern lights as proudly as it floats under the balmy breezes and the soft and glorious radiance of the southern cross.

Mr. Speaker, we who have fought the good fight for rivers and harbors and inland and coastal waterways are not mere dreamers. We have grown old witnessing many marvelous accomplishments by our country. One great conquest after another has been her proud achievement. We who are looking westward see a greater destiny ahead than the wonderful civilization that blesses us to-day. The sunset of life gives us mystical lore and coming events cast their shadows before. Boston to the Rio Grande, with New Orleans at the crossroads, means for the greater glory of our country in peace times and a means of national defense in times of war, which I hope will never

come again to curse the world with its horrors, atrocities, and crucifixions.

WITHDRAWAL OF PAPERS

Mr. MOORE of Virginia, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Mrs. C. L. Scott, H. R. 4622, Seventieth Congress, first session, no adverse report having been made thereon.

ENROLLED BILL SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 12696. An act authorizing an appropriation for the purchase of the Vollbehr collection of incunabula.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 134. An act authorizing an appropriation for the purchase of land for the Indian colony near Ely, Nev., and for other purposes;

S. 135. An act to provide for the payment for benefits received by the Paiute Indian Reservation lands within the Newlands irrigation project, Nevada, and for other purposes;

S. 363. An act for the relief of Charles W. Martin;

S. 485. An act to amend section 9 of the Federal reserve act and section 5240 of the Revised Statutes of the United States, and for other purposes;

S. 486. An act to amend section 5153 of the Revised Statutes, as amended;

S. 2718. An act for the relief of Stephen W. Douglass, chief pharmacist, United States Navy, retired;

S. 3627. An act to amend the Federal reserve act so as to enable national banks voluntarily to surrender the right to exercise trust powers and to relieve themselves of the necessity of complying with the laws governing banks exercising such powers, and for other purposes;

S. 4096. An act to amend section 4 of the Federal reserve act; and

S. 4466. An act to make a correction in an act of Congress approved February 28, 1929.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On June 23, 1930:

H. R. 7643. An act to establish a term of the District Court of the United States for the District of Nevada at Las Vegas, Nev.

On June 24, 1930:

H. R. 12696. An act authorizing an appropriation for the purchase of the Vollbehr collection of incunabula.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Wednesday, June 25, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, June 25, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON BANKING AND CURRENCY (10.30 a. m.)

Prohibiting the purchase of German reparation bonds by national banks, Federal reserve banks, and member banks of the Federal reserve system (H. J. Res. 364).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. VESTAL: Committee on Patents. H. R. 12549. A bill to amend and consolidate the acts respecting copyright and to permit the United States to enter the International Copyright Union; with amendment (Rept. No. 2016). Referred to the House Calendar.

Mr. TEMPLE: Committee on Foreign Affairs. H. R. 9701. A bill authorizing the payment of an indemnity to the French Government on account of injuries received by Henry Borday, a French citizen, when he was assaulted at his place of business at Port au Prince, Haiti, by two United States Marines; with-

out amendment (Rept. No. 2019). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Indiana: Committee on Interstate and Foreign Commerce. H. R. 13035. A bill to extend the times for commencing and completing the construction of a bridge across the Grand Calumet River at East Chicago, Ind.; without amendment (Rept. No. 2020). Referred to the House Calendar.

Mr. PARKER: Committee on Interstate and Foreign Commerce. S. J. Res. 161. A joint resolution to suspend the authority of the Interstate Commerce Commission to approve consolidations or unifications of railway properties; with amendment (Rept. No. 2023). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. BRITTEN: Committee on Naval Affairs. H. R. 4940. A bill for the relief of Commander Charles E. Parsons, Supply Corps, United States Navy; without amendment (Rept. No. 2017). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 12534. A bill for the relief of Warren Burke; without amendment (Rept. No. 2018). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 13128) to amend the farm loan act; to the Committee on Banking and Currency.

By Mr. LEAVITT: A bill (H. R. 13129) granting the consent of Congress to the State of Montana or any political subdivisions or public agencies thereof, or any of them, to construct, maintain, and operate a free highway bridge across the Missouri River southerly from the Fort Belknap Indian Reservation at or near the point known and designated as Wilder Ferry, in the State of Montana; to the Committee on Interstate and Foreign Commerce.

By Mr. KEMP: A bill (H. R. 13130) a bill granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER of California: A bill (H. R. 13131) to amend section 72 of the Judicial Code (U. S. C., title 28, sec. 145) by providing two terms of court annually at Oakland, in the southern division of the northern district of the State of California; to the Committee on the Judiciary.

By Mr. LEAVITT (by departmental request): A bill (H. R. 13132) authorizing the use of Osage funds for attorneys' fees and expenses of litigation; to the Committee on Indian Affairs.

Also (by departmental request), a bill (H. R. 13133) to authorize an appropriation of tribal funds to purchase certain privately owned lands within the Fort Apache Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. CRAMTON: A bill (H. R. 13134) to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.," approved June —, 1930, being Public Act No. —, of the second session of the Seventy-first Congress; to the Committee on Interstate and Foreign Commerce.

By Mr. ENGLEBRIGHT: A bill (H. R. 13135) to add certain lands to the Modoc National Forest, in the State of California; to the Committee on the Public Lands.

By Mr. SWANSON: A bill (H. R. 13136) granting pensions to certain widows and remarried widows of Civil War veterans after the expiration of 15 years from the date of marriage to such veteran; to the Committee on Invalid Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 13137) to amend section 8 of the food and drugs act of June 30, 1906, as amended, so as to require the country of origin to be stated in the case of foreign-grown canned vegetables; to the Committee on Agriculture.

By Mr. COOPER of Wisconsin: Joint resolution (H. J. Res. 379) to change the name of B Street NW., in Washington, in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LARSEN: Joint resolution (H. J. Res. 380) to extend the provisions of Public Resolution No. 47, Seventy-first Congress, approved March 3, 1930; to the Committee on Agriculture.

By Mr. BRAND of Georgia: Joint resolution (H. J. Res. 381) to extend the provisions of Public Resolution No. 47, Seventy-first Congress, approved March 3, 1930; to the Committee on Agriculture.

By Mr. BOYLAN: Joint resolution (H. J. Res. 382) authorizing the selection of a site and the erection of a pedestal for the statue or memorial to Thomas Jefferson, in the city of Washington, D. C.; to the Committee on the Library.

Also, joint resolution (H. J. Res. 383) to appoint a commission to make a study of proposed change in the printing of the CONGRESSIONAL RECORD; to the Committee on Rules.

By Mr. SIMMONS: Joint resolution (H. J. Res. 384) making appropriations available to carry into effect the provisions of the act of the Seventy-first Congress entitled "An act to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia"; to the Committee on Appropriations.

By Mr. CABLE: Joint resolution (H. J. Res. 385) to authorize the President to suspend for a specified period the immigration of aliens to the United States; to the Committee on Immigration and Naturalization.

By Mr. FREAR: Resolution (H. Res. 268) to appoint a committee to inquire into an income and estate tax law for the District of Columbia, and for other purposes; to the Committee on Rules.

By Mr. GASQUE: Resolution (H. Res. 269) to investigate conditions in Venezuela, South America; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRESEN: A bill (H. R. 13138) granting a pension to John Divine; to the Committee on Pensions.

By Mr. BAIRD: A bill (H. R. 13139) granting an increase of pension to Luese Schneider; to the Committee on Invalid Pensions.

By Mr. BEEDY: A bill (H. R. 13140) granting a pension to Rhomena F. Woodbury; to the Committee on Invalid Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 13141) granting an increase of pension to Emily F. Severs; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 13142) for the relief of Thomas E. Kelly; to the Committee on Military Affairs.

Also, a bill (H. R. 13143) granting an increase of pension to Mary C. Haley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13144) granting a pension to Elizabeth Ray; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 13145) granting a pension to Charles F. Barber; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 13146) granting an increase of pension to Earl S. Reeves; to the Committee on Pensions.

By Mr. JENKINS: A bill (H. R. 13147) granting an increase of pension to Rebecca G. Stanley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13148) granting an increase of pension to Nancy J. Bryant; to the Committee on Invalid Pensions.

By Mr. MAGRADY: A bill (H. R. 13149) granting an increase of pension to Maranda Fasold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13150) for the relief of Frank W. Trutt; to the Committee on Military Affairs.

By Mr. MOORE of Kentucky: A bill (H. R. 13151) granting a pension to Jennie Simmons; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 13152) granting a pension to Mary Olive Hankey; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 13153) granting an increase of pension to Mary E. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13154) granting an increase of pension to Laura L. McHaney; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7642. Petition of Fred A. Snyder Post, No. 353, American Legion, Northampton, Pa., urging hospital support of World War disabled veterans; to the Committee on World War Veterans' Legislation.

7643. By Mr. BOYLAN: Resolution adopted by the Eighteenth Conference of the National Federation of Settlements, assembled

in Rochester, N. Y., June 5, urging the appointment of Miss Grace Abbott to the Cabinet portfolio of labor; to the Committee on Labor.

7644. Also, resolution adopted at a meeting of the Women's Republican Club of New York City, petitioning all Members of Congress of Greater New York to support the Saturday half holiday bill for all Federal employees; to the Committee on the Civil Service.

7645. By Mr. CRAIL: Petition of 750 members of the Los Angeles Camp, No. 36, United Spanish War Veterans, Los Angeles, Calif., extending their heartfelt appreciation to the Senate and House of Representatives of the United States for the passage of the act of June 2, 1930, granting to the many disabled Spanish War comrades an increase of pension; to the Committee on Pensions.

7646. By Mr. YATES: Petition of Anthony Wayne Post, American Legion, Fairfield, Ill., urging the passage of the Johnson bill without amendment; to the Committee on World War Veterans' Legislation.

7647. Also, petition of the LaSalle Extension University, Michigan Avenue at Forty-fourth Street, Chicago, Ill., protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7648. Also, petition of Straus & Schram, 1105-1113 Thirty-fifth Street, Chicago, Ill., urging the defeat of House bill 11096, stating in their opinion 5 cents is too great a charge for such service as the bill provides; to the Committee on the Post Office and Post Roads.

7649. Also petition of Margaret D. Dunn, 201 East Randolph Avenue, Alexandria, Va., urging the consideration and passage of the Saturday half-holiday bill; to the Committee on the Civil Service.

7650. By Mr. WATRES: Petition of Joseph E. Beck and the board of directors of the Family Welfare Association of Scranton, Pa., urging action on Senate bill 3060; to the Committee on the Judiciary.

SENATE

WEDNESDAY, June 25, 1930

Rev. James W. Morris, D. D., assistant rector, Church of the Epiphany, city of Washington, offered the following prayer:

O God, the Fountain of Wisdom and Father of Lights, it is in Thy light that we see light. Grant us, therefore, we beseech Thee, such illumination by Thy spirit of mind and heart that we may abound more and more in all wisdom and spiritual discernment. Make us to accept each duty as a divine command and each fine opportunity as a heavenly call, that thus walking in Thy light we may in all life's decisions and resolves prove ourselves true sons of light. We ask these things in the name of Jesus Christ, Thy Son, the true Light of the World. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. WATSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the House had passed without amendment the following bills and joint resolution of the Senate:

S. 317. An act to authorize the Secretary of the Interior to grant certain oil and gas prospecting permits and leases;

S. 1792. An act to provide for the appointment of an additional district judge for the southern district of California;

S. 2323. An act authorizing the Director of the Census to collect and publish certain additional cotton statistics;

S. 3422. An act to authorize the Tidewater Toll Properties (Inc.), its legal representatives and assigns, to construct, maintain, and operate a bridge across the Patuxent River, south of Burch, Calvert County, Md.;

S. 3873. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Carondelet, Mo.;

S. 3893. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the State of South Da-

kota the silver service presented to the United States for the cruiser *South Dakota*;

S. 4028. An act to amend the Federal farm loan act as amended;

S. 4243. An act to provide for the closing of certain streets and alleys in the Reno section of the District of Columbia;

S. 4287. An act to amend section 202 of Title II of the Federal farm loan act by providing for loans by Federal intermediate credit banks to financing institutions on bills payable and by eliminating the requirement that loans, advances, or discounts shall have a minimum maturity of six months;

S. 4358. An act to authorize transfer of funds from the general revenues of the District of Columbia to the revenues of the water department of said District, and to provide for transfer of jurisdiction over certain property to the Director of Public Buildings and Public Parks;

S. 4517. An act to provide for the regulation of tolls over certain bridges; and

S. J. Res. 140. Joint resolution to provide for the erection of a memorial tablet at the United States Naval Academy to commemorate the officers and men lost in the United States submarine *S-4*.

The message further announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1959. An act to authorize the creation of game sanctuaries or refuges within the Ocala National Forest in the State of Florida; and

S. 4577. An act to extend the time for completing the construction of a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg.

The message also announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 215. An act to amend section 13 of the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," as amended by the act of May 28, 1928;

S. 525. An act authorizing the Secretary of the Navy, in his discretion, to loan to the Louisiana State Museum, of the city of New Orleans, La., the silver service in use on the cruiser *New Orleans*;

S. 3068. An act to amend section 355 of the Revised Statutes; and

S. 3845. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, June 26, 1918, and June 7, 1924.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 22) to print and bind additional copies of Senate Document No. 166, Seventieth Congress, entitled "Interstate Commerce Act, Annotated," with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 101. An act for the award of the air-mail flyer's medal of honor;

H. R. 3592. An act to further amend section 37 of the national defense act of June 4, 1920, as amended by section 2 of the act of September 22, 1922, so as to more clearly define the status of reserve officers not on active duty or on active duty for training only;

H. R. 5708. An act for estimates necessary for the proper maintenance of the flood-control works at Lowell Creek, Seward, Alaska;

H. R. 9408. An act to amend the act of March 3, 1917, an act making appropriations for the general expenses of the District of Columbia;

H. R. 9590. An act to provide for the appointment of one additional district judge for the eastern and western districts of Arkansas;

H. R. 9893. An act for the relief of Herman Lincoln Chatkoff;

H. R. 10782. An act to facilitate and simplify the work of the Forest Service;

H. R. 12014. An act to permit payments for the operation of motor cycles and automobiles used for necessary travel on official business, on a mileage basis in lieu of actual operating expenses;

H. R. 12063. An act to amend section 16 of the Federal farm loan act;